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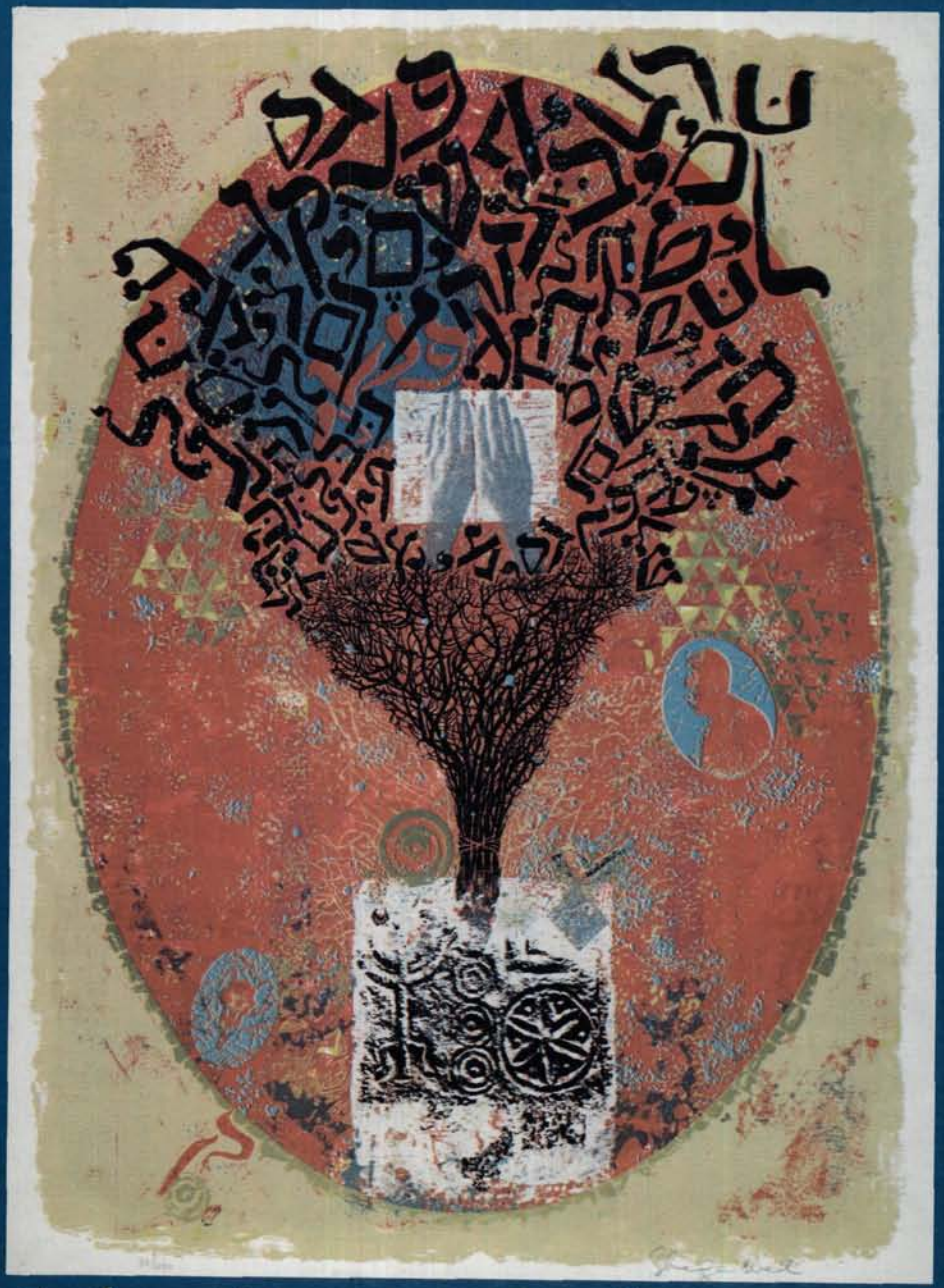

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## A Labor Zionist Looks at Begin

*by Marie Syrkin*

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# TRB

from Washington
April 22, 1978

## A Puff for Jimmy

There is a funny attitude of condescension toward Jimmy Carter in America. I do not recall anything like it. It is a national attitude of deprecation, of disparagement. "You know Jimmy," we say with a helpless shrug. Then we point out his inadequacies.

For example, the Panama Treaty vote is scheduled to come up this Tuesday. Right down to the wire it is a touch-and-go thing. And even if it is passed, the DeConcini reservation (arrogantly asserting the US right to intervene after the year 2000 to keep the canal open) may cause Panama to reject it. Why hasn't Jimmy Carter prevented this embarrassing situation? Doesn't he have the art of leadership? It is true, of course, that when he started the drive to ratify the course approved by four presidents the polls showed the public against any treaty at all. It is also true that the Constitution gives 34 senators a veto power over the 535 members of Congress. But so what? Look at the unsavory deals Carter made to get the first Panama treaty approved by one vote. Why does he have to demean himself?

Or take energy. An anniversary comes up this Thursday (April 20). A year ago April 20 Jimmy went before a joint session of Congress and insisted that something had to be done right away about oil imports. We imported more than $35 billion dollars worth of oil in 1976, he told them: "Our trade deficits are growing." In his flat, uninspired voice he called it "the moral equivalent of war." It is a matter of urgency, of "patriotism and commitment," he said. He outlined an energy program which he called "fair, reasonable and necessary." He said that "If the American people respond to our challenge we can meet these targets."

It is a year later now; no energy bill. Why didn't Carter get Congress to act? What's the matter with the man; he's president isn't he? Last week he spoke to the American Society of Newspaper Editors here. Oil imports this year will cost $45 billion, or $10 billion more than last, he told them; the unfavorable trade balance has sent the dollar into a skid; the failure to come to grips with the situation promotes inflation. He did not belabor Congress. He read a little lecture on economics.

"Our security depends on it; our economy demands it," he said.

The problem is, of course, that to do something drastic about energy—to do something drastic about inflation—requires self-sacrifice. America hasn't taken drastic action because there has been a failure of national will, expressed through Congress and sublimated, in part, in deprecating Jimmy Carter.

The attitude is contagious and has jumped the Atlantic. "Europeans View Carter as Weak, Unskilled Leader" says a story in *The Washington Post*, datelined Bonn, Germany. That's about the decision to postpone manufacture of the neutron bomb. It has caused a great flap all around the world. Moscow mounted an extraordinary barrage against the N-bomb from behind its own megaton weapons (which slaughter 10 million at a shot) and called it "capitalistic, cannibalistic, barbaric." West Germany, by contrast, wailed because Carter had decided *not* to make the bomb, rather than to make it. West Germany and NATO wanted to be pressured into taking the bomb but wouldn't promise to deploy it.

In his simple way the president declared at Yazoo City, Mississippi: "I don't believe the neutron bomb is more wicked or immoral than the present nuclear weapons we have and the Soviets have as well."

Nevertheless, because it is a "clean" bomb its manufacture might encourage that final catastrophe, nuclear warfare. So Jimmy decided to hold it up to see if Moscow would make concessions, and to see if NATO and West Germany would share responsibility. Result? Horrid outcries about the "ineffective" Jimmy Carter. The Germans were particularly bitter; a *Baltimore Sun* dispatch explained that "the deferral avoided forcing Mr. Schmidt [Chancellor Helmut Schmidt] to take a public stand on whether or not Germany would accept the weapon on its soil." But at the same time the German press denounced "Mr. Carter's 'flight from political action.'"

The rage at home was even greater. Columnists Evans and Novak, who despair over Jimmy nearly every week, declared that he "seems to have succumbed to Soviet pressure." *The Wall Street Journal* editorial (April 11) rejoiced that if Jimmy Carter wouldn't become an activist, at least there was another power in Washington. "Happily, the Founding Fathers gave us more than one branch of government. If the Administration cannot come up with processes that produce cogent decisions, Congress will have to bear more responsibility than usual."

Congress has been trying to produce a cogent decision on the matter of energy for a year, come this week.

The president got some support. For example, James Reston of *The New York Times* noted that after all the arguments for and against "these handy little atomic weapons," Carter had paused, temporized, and thought about compromising. "And a good thing, too," Reston added.

Jimmy Carter is a most unusual president. He made a lot of mistakes. He over-promised himself in the election. When he came to office he sent up an impossible load of bills apparently thinking that you pressed a button and a law rolled out like a pop bottle from a vending machine. Another thing, Jimmy Carter is low-keyed, not electrifying. I thought of that again last week while he was addressing the editors. There were no lively gestures, no rhetorical embellishments, no fireworks. He was just Jimmy Carter, working hard, sounding earnest, honest and idealistic.

He has aggravating character faults, too. He doesn't respond to brutal detractors; he doesn't lash out at Congress nor lose his temper. By now he ought to have a rousing persecution complex like most presidents, but he doesn't; he is probably the most temperamentally secure chief executive of modern times.

A Gallup poll shows an interesting thing about him. It is not that 49 percent approve, 34 percent disapprove, but that the feeling about him is so uniform, the same division seems to run through all the categories: rich-poor; whites-blacks; Protestants-Catholics. He doesn't inspire wild hatred or passionate support. He is just a hard-working man doing the best he can, trying to rouse the country to greatness. It is terribly irritating. What can critics do but condescend to him?



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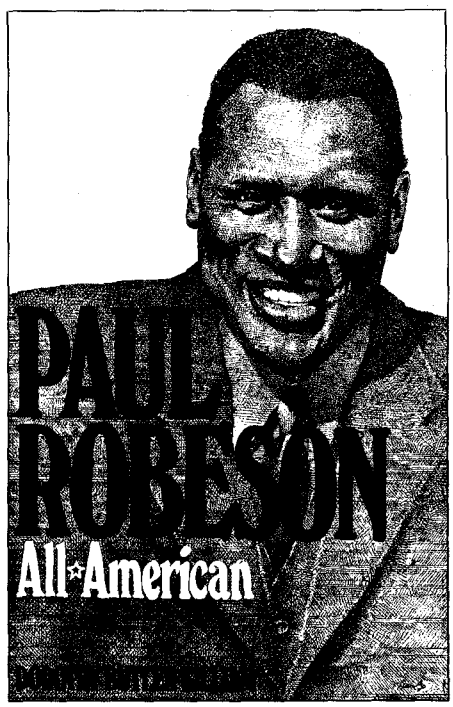


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# THE NEW REPUBLIC

A Journal of Politics and the Arts, Vol. 178, No. 16, Issue 3302, April 22, 1978. Published weekly (except the issues of July 15, August 12, September 2, December 30) and distributed by The New Republic, Inc., 1220 19th Street, N.W. Washington, DC 20036. Phone (202) 331-7494. Single copy, $1.00; Yearly subscriptions, $24; foreign, $27; students $17.

Send all remittances and correspondence about subscriptions, undelivered copies and changes of address to Subscription Department, The New Republic, 205 West Center Street, Marion, Ohio 43302. Copyright 1978 by The New Republic, Inc. Item g. Second class postage paid at Washington, DC and additional mailing offices. Indexed in Reader's Guide.


*Cover:* Thicket of the Past *(serigraph) by Shraga Weil, courtesy of Pucker Safrai Gallery. Article on page 20.*

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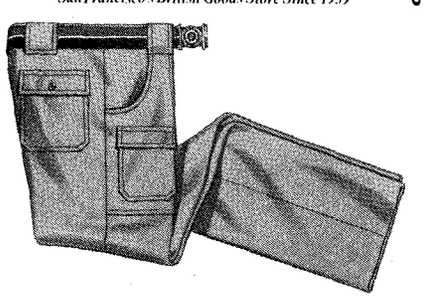

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THE NEW REPUBLIC

April 22, 1978

# Springtime for Skokie

You wouldn't expect to find George Will borrowing his dialectic from Herbert Marcuse. But the conservative columnist and the Marxist philosopher appear to agree on one subject: free speech for Nazis. They're against it. In a column endorsing efforts by the village of Skokie, Illinois, to prevent a demonstration the American Nazi party wishes to hold in this primarily Jewish community, Will writes:

> *Liberalism is a philosophy that yields the essential task of philosophy—distinguishing truth from error—to the "market," which measures preferences (popularity), not truth. Liberals say all ideas have an equal "right" to compete in the market. But the right to compete implies the right to win. So the logic of liberalism is that it is better to be ruled by Nazis than to restrict them.*

In his famous essay on "Repressive Tolerance," Marcuse expressed similar contempt for the liberal regime under which

> *the stupid opinion is treated with the same respect as the intelligent one, the misinformed may talk as long as the informed, and propaganda rides along with education, truth with falsehood. This pure toleration of sense and nonsense is justified by the democratic argument that nobody, neither group nor individual, is in possession of the truth and capable of defining what is right and wrong, good and bad.*

Mr. Will and Professor Marcuse would have no trouble agreeing that fascist ideas constitute an inferior—and therefore proscribable—category. Where they might differ is in deciding which of Mr. Will's columns belong in that category.

This liberal who believes that there is no such thing as a bad idea is a straw man. There are many bad ideas: that Jews are racially inferior, that the Carter administration needs to cultivate "business confidence," that there is no such thing as a bad idea—to name a few. The liberal position is not that no idea is bad, but that no bad idea is dangerous—or at least that a bad idea is less dangerous than any sort of an elite censorship system intended to sort out truth from error. Under a regime of civil liberties, the true ideas rise on their own merits and the false ideas collapse under their own weight as long as the truth tellers also may speak up. False ideas have the "right" to win, but the market is rigged against them. History suggests that when these principles are abandoned it is the true ideas, rather than the false ones, that tend to be suppressed.

But of course the citizens of Skokie don't object to the proposed Nazi march through their village out of any concern that those along the parade route might find its message convincing. No one contends there is any "clear and present danger" of a Nazi triumph in this country, or even that Nazism will gain any support as a result of this march. The complaint is precisely the opposite: that those exposed to the march will find its message repugnant, and should be spared this offense to their sensibilities. Put this way, it becomes clear that the Skokie controvery is not really about "free political debate" at all. It is an obscenity case.

Seeing Skokie's campaign against the Nazi march as an attempt to suppress obscenity makes the case for the village stronger, but not strong enough. The case is stronger because it is no longer an answer to say, "Have your own march. Spread your own views." However certain it is that anti-Nazi opinions will triumph in the "free marketplace of ideas," this will not alleviate the alleged harm caused by the Nazi demonstration. If a community wishing to preserve its sexual equanimity is free to ban dirty movies inside theaters (which the



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Supreme Court says it is), the argument would go, surely a community with an unusually large proportion of Holocaust survivors may ban an offensive display of Nazi symbols and rhetoric in its public streets.

But the lawyers for Skokie have not made this argument, even though they have spent the past year—working in concert with the village ordinance writers—frantically searching for an acceptable route through the maze of First Amendment doctrine. The reason, of course, is that the doctrine of obscenity as an exception to the First Amendment protection of free speech—a dubious proposition in itself—cannot possibly be applied to displays that are offensive because of their political content. The current Supreme Court standard for obscenity requires the censor to prove that a banned work "lacks serious literary, artistic, political or scientific value." It would be tempting to argue that Nazism as an ideology has no political value and therefore can be banned as worthless. But then who would decide the next case? Clearly allowing the government to decide that some political ideas are too *worthless* to be protected by the First Amendment would be just as unfortunate as allowing the government to decide that some political ideas are too *dangerous* to be protected.

Since they are precluded from resting on their real objection to having Nazis march through their village—that they don't like Nazis—Skokie and its lawyers have attempted a variety of subterfuges in order to ban the demonstration. The legal wrangling has been going on now for about a year. During this time the march has been banned—a rather successful prior restraint, whatever the final outcome. The American Civil Liberties Union—which we have criticized in these columns for some apparent departures from basic civil liberties principles—has defended the First Amendment valiantly throughout this battle, at great cost in money and membership.

When the Nazis first announced their march for May 1, 1977, Skokie went to the Illinois state court for an injunction to prevent it. Skokie's argument was that if Nazis were allowed to march through their city, a violent response by offended residents would be inevitable. Therefore the march, however peaceable, posed a clear and present danger of civil disorder. The Supreme Court rejected this sort of argument several times in the 1960s, when it was invoked to justify police action in breaking up peaceful black protests against racial segregation. The police argued that the inevitable violent white response would pose a threat to law and order. In these less sympathetic circumstances, the fallacy of the argument is obvious: to accept it would be to provide what lawyers call a "heckler's veto" over the expression of any ideas—or over the mere presence of certain people—that a local majority might object to. The Supreme Court has struggled a bit with the problem of how much effort the police must make to quell a hostile crowd before asking a controversial speaker or demonstration to make their job easier by stopping. But the Court never would permit prior banning of a political demonstration on the *chance* that a violent response *might* result.

Despite this clear precedent, the lower Illinois court enjoined the Nazi demonstration planned for May 1, 1977. When the Nazis changed the scheduled date to April 30, Skokie asked for and got a blanket injunction against *all* Nazi demonstrations in the village "until further order of the court." The ACLU appealed this injunction and eventually, in January of this year, the Illinois Supreme Court ruled that it was unconstitutional. At the same time, the court dismissed a similar injunction request filed on behalf of Holocaust survivors in Skokie by the Anti-Defamation League of Chicago.

At this point the Nazis and the ACLU came up against Skokie's next line of defense. On May 2, 1977, the day after the march originally had been scheduled to take place, the village passed three ordinances intended to assure that it would never happen. One requires 30 days' advance notice and proof of $350,000 in liability insurance in order to get a march permit (except that the village could waive the requirement whenever it wished). Another forbids "political organizations" from demonstrating in "military style" uniforms. A third forbids display of "symbols offensive to the community" and also contains what is known as a "group libel" provision banning literature that ascribes a "lack of virtue" to any racial or ethnic group. The ACLU challenged all three ordinances in federal district court. The court ruled last month that all three—except for the 30-day waiting period requirement, which is common around the country—are unconstitutional violations of free speech.

The case is now before the Seventh Circuit Court of Appeals, which has promised a quick ruling, but inevitably there will be an appeal to the US Supreme Court. (Skokie and the Anti-Defamation League also may appeal the Illinois Supreme Court decision to the US Supreme Court.) The only really controvertible legal issue is the validity of the "group libel" statute. A 1952 Supreme Court case upheld such a statute, but this was long before all the later decisions bringing libel within the protection of the First Amendment. In all probability the Nazis will be able to have their horrible march—as they should—some time soon.

*(continued on page 8)*

**Next Week:**

Allen Weinstein replies to critics of *Perjury*.



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# Correspondence

## Warm-blooded again

*To the editors:*

In your March 4th issue, Nelson Hine takes you to task for stating the dinosaurs were warm-blooded. Actually, there is an important and interesting body of literature which claims exactly that—that the dinosaurs were really warm-blooded creatures and not the lethargic reptiles we thought them to be. If Mr. Hine visited his local library and asked for the *Readers Guide*, he would find several articles of interest.

*R. G. Schipf*
*Science Librarian*
*University of Montana*

## What did Marston know

*To the editors:*

Please advise your readers that your piece "Et tu, Marston?" (*TNR*, Mar. 18) included at least two totally incorrect statements:

In reference to a May 12, 1975 meeting, you stated that "Schweiker couldn't remember which of his aides went with him to the meeting." False. Senator Schweiker recalls that another staff assistant—not David Marston—accompanied him to the meeting and all office records substantiate that. Your reporter never asked our office which staff aide accompanied Senator Schweiker.

Referring to a House-passed appropriation for Hahnemann Hospital, you state "Marston was among those who eased it through the Senate." False. David Marston, as Senator Schweiker's legislative counsel at that time, had no dealings whatsoever with the Hahnemann appropriations item, was not even aware of it. Had your reporter asked us for the true facts we would have gladly provided them as we have to other reporters.

*David Newhall, III*
*Administrative Assistant to*
*Senator Richard S. Schweiker*

*In reply:*

We relied on *The New York Times*, which reported that the senator "could not be sure which of his staff members accompanied him" to the meeting on Hahnemann Hospital. The senator's press secretary, Ned Kelly, informs us that legislative aide Paul Cooksey—and not Marston—went with Schweiker to the meeting. Kelly said Marston never worked on the Hanemann appropriation because it was outside his office jurisdiction. But Marston was at least "peripherally aware" of the project, Kelly said, because a memo describing it—written by Representative Dan Flood—was passed around the office.

*The editors*

## Back at headquarters

*To the editors:*

One small footnote to the war between James O'Shea Wade and John Kenneth Galbraith over *Dulles* in the April 8 issue: Hitler's headquarters at Rastenburg, referred to by Wade, was in East Prussia. Since East Prussia was divided between Poland and the USSR in 1945, a modern atlas might show Rastenburg to be Polish; but in 1944 it had been German since the conquest of Prussia by the Teutonic knights in the 13th century, and Hitler's headquarters there would hardly be called Polish.

*Theodore Chase, Jr.*
*Princeton, New Jersey*

## Hiss vs. Chambers, etc.

*To the editors:*

Your cover picture and caption on the April 8 issue were eye-catching reminders of an important piece of American history, but it seems to me the caption misstates the problem.

"Find the perjurer in this picture," you wrote; well, the fat man at the microphone testified a few months later in court that he had committed perjury on the very occasion when this picture was taken, as well as on many others. The thin man in the rear was convicted of perjury on the testimony of this perjured witness; the question now is how that could have happened, and whether that conviction should be set aside.

T. S. Matthews, in the book review to which the picture referred, says he "believes" that Chambers, the perjurer, was a "man of honor," and that his very perjuries "go far to prove it." As an associate of Chambers when both were on the staff of *Time*, Matthews is perhaps expressing only the privilege of friendship, without regard to other matters.

Matthews says "I think" Allen Weinstein "has correctly reviewed" the Hiss case in his current book, *Perjury*, and perhaps this judgment, too, is influenced by the high regard Weinstein shows for Matthews's old friend Chambers.

I have to agree with Matthews that Weinstein's "massive" book is not likely to be widely read, nor does it deserve to be. Yet it is being hailed as a contribution to our knowldge of the Hiss affair, though in fact it contributes nothing but a rehash of the prosecution's arguments at the trials almost 30 years ago, with very little new material to support them.

Matthews claims that Weinstein's work is "now part of the Hiss Case," and that "before Hiss can be exonerated this book will have to be refuted." That shouldn't be difficult; for starters there is the evidence of Hiss's innocence presented in my own book, *Alger Hiss: The True Story*, which Weinstein has derided but could not disprove. Then there is a lot of new material disproving Weinstein's arguments in my review of his book in the June issue of *Harper's*. But the exoneration of Hiss doesn't depend on what Weinstein or I have to say; the question is coming before the US District Court for decision. And Hiss's "suit," to which Matthews refers, is based on the claim that his constitutional right to a fair trail was violated by government misconduct in the case, which is a matter that Weinstein and Matthews don't even consider.

*John Chabot Smith*
*Newtown, Connecticut*

## Clarification

*To the editors:*

I was disappointed by your failure to inform readers that Zygmunt J. B. Plater ("Fish in a Porkbarrel," *TNR*, Apr. 8) is both plaintiff and attorney-of-record in the federal suit to enjoin the Tellico Dam project. Even if Mr. Plater's opposition to the dam is sound, we should have been told of his personal stake in the controversy.

*James T. McCarty*
*Houston, Texas*



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It is easy to be bloodless and analytical about free speech from a distance. The citizens of Skokie are the ones who must tolerate this distressing antic. We hope they will think of it as the price they pay for the privilege of living in a non-authoritarian society, where the police are used to protect minorities—no matter how offensive to the majority—rather than to harass and intimidate them. Those many citizens of Skokie who suffered under a different system are in an especially good position to reflect that it is a rather small price, after all.

## The Doctors' Lot

People rant about doctors' fees partly out of envy, but partly because doctors really do make more money than members of other professions. Without any valid justification for doing so, the doctors have kept their economic advantage growing each year.

The White House Council on Wage and Price Stability published a study in March that attempts to document the doctors' coup in a scientific way. The report, written by staff economist Zachary Dyckman, made findings that were strongly critical of organized medicine. It was no surprise that the American Medical Association immediately challenged the paper's credibility and set a swarm of its own statisticians and economists to work, nibbling away at the report's factual foundations. But Dr. James Sammons, executive vice president of the AMA, denounced the report as "a political hatchet job."

The White House study found that physicians' fees have risen since 1950 at a rate that was "much more rapid than overall price inflation." It said that "for the entire 1950-77 period, physicians' fees rose 273 percent . . . compared to 150 percent for all prices less medical care. . . . On the average, physicians' fees rose 43 percent per year more rapidly than other consumer prices." The accomplishment seems more awesome if one considers where doctors began. In 1929, according to Dyckman's report, self-employed physicians were paid less than accountants and lawyers. A doctor's mean income in 1929 was $5224, and today it has increased to $62,799—more than five times the mean income of the average working person. It is also twice the mean income of a lawyer. The most lucrative medical specialties are hospital-based radiology and pathology, whose members had mean incomes in 1975 of $98,000 and $102,000 respectively. Specialists who had contracts with hospitals giving them a percentage of the income of their departments made much more. The White House report also described some curious demographic and geographic patterns. Specialists working in small hospitals were paid more than those working in large ones. Doctors living in the Northeast had the lowest median income, and those working in the South had the highest. "It does not appear that differences in the cost of living can account for the pattern of regional income variation," the report concluded, "as the cost of living tends to be lower in southern cities. . . ." The report also found that in cities where many doctors live, fees were higher and the services charged per patient were more numerous. "Independent of other variables tested, and after differences in cost of living are accounted for, the larger the city, the higher the fees." The forces of supply and demand, obviously, do not tug at doctors' fees.

Doctors often justify their large and expanding incomes in two ways. They say that the increases in their own cost of doing business—especially the cost of malpractice insurance—have forced them to raise fees. Second, they say that their profession is highly demanding, requiring among other things an enormous investment in education. This investment, they say, merits a handsome return. Dyckman emphatically rejected both arguments. Increases in malpractice insurance costs, he wrote, "cannot explain all or even most of the more rapid inflation in fees. . . ." Dyckman estimated that doctors could have met the increase in insurance bills in 1976 (a year of great inflation in those costs) by raising fees one percent. But they actually raised fees 11.3 percent. In the same year, the average cost of all things purchased by doctors rose 8.5 percent. This means that doctors' incomes were increasing quite a bit more rapidly than their expenses.

Dyckman quoted several studies of the financial return on investment in medical training to show that "physicians' earnings are more than sufficient to induce an adequate supply of individuals to enter the profession." Doctors pay more for their education—including the income foregone during their extended studies—but their education still is a better bargain, dollar-for-dollar, than that of other professionals. In 1959, the rate of return (in future income) on the investment in a medical education was estimated to be 14.7 percent. The figure grew to 22 percent in 1970. An ordinary college degree, by contrast, grew less valuable with the passage of time. It returned 11 percent in 1959

**Next Week:**

Robert Lekachman addresses inflation and Carter's plans for it.



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and around 8.5 percent in 1974. So the argument that high doctors' fees can be justified by the long and expensive training is a sham.

Though tedious, this run through the numbers is useful. It demonstrates that the resentment of doctors' wealth is not based purely on a vulgar distrust of talent and envy of success, feelings that always are latent in society. The popular sentiment in this case seems right. As a group, doctors have achieved a uniquely lofty and protected status in the economy.

An embarrassment to both sides.

# The Unwelcome Defector

During the days of the cold war, a refugee from Eastern Europe was welcome in the West as live ammunition in the great propaganda battle—a proof of tyranny on the Other Side, and of freedom on ours. In these days of detente, he is viewed as an embarrassment, a liability, a factor that can adversely affect the precarious balance of US-Soviet negotiations over a wide range of issues. US officials no longer keep a tally of defectors; guidelines call for minimizing their importance, avoiding publicity.

The defection of Arkady N. Shevchenko, the United Nations Under Secretary General for the past five years, is treated in the State Department as if they had another U-2 spy incident on their hands. A prompt news blackout was ordered, and the many US officials who met Shevchenko during his 15 years of service at the UN are not allowed to discuss him. There are ramifications, US diplomats hint darkly, and they whisper that Shevchenko was famous for his most rigid dogmatism as well as for erratic behavior—such as going to Miami Beach for a week without letting anyone know where he was, thus precipitating a nationwide search for him. Then, of course, there is the standard Soviet reaction to defame defectors: charges of heavy drinking, high living, liaison with a woman not his wife.

Ideally, US diplomats in these days of bridge building would like to have no defectors from the Communist bloc. "They are too messy," as one American ambassador put it to me years ago. "The information they bring out is often unreliable, and ex-officials have a habit of developing serious personal problems." State Department instructions call for talking to potential defectors like a Dutch uncle; the preference is that an East European ask not for asylum but rather return to work within the system, or apply for emigration if feasible. The fallback position is settlement in the West without the theatrics of denouncing The System. And please no flaunting of the *renversement des alliances.*

The fury of Communist, and particularly Soviet, response is not merely a compulsory rite accorded to a traitor—and a despicable traitor to the country the person must be if he or she chooses to live elsewhere. There is also a genuinely personal outburst from colleagues who may toy with the idea of defecting themselves, or others jealous of those who made the big decision to quit the workers' paradise.

Defection is such an ugly word—its sound and etymology imply a defect, a flaw, a regrettable lack of something. Refugee on the other hand invites sympathy and compassion—there is courage in the word and an intimation of character.

Compared to his fellow countrymen, the Communist diplomat has very special privileges: high salary, opportunity to buy Western merchandise and, of course, travel to the West. But the incalculable bonus is the chance to live in the West. It frightens some, turns off others. But in many cases, perhaps the majority, it invites envy and a desire for emulation.

The crunch can come when the diplomat is abruptly summoned home, and there is the awful possibility that some apparatchik high up has decided: no more foreign travel, no more easy living—back to the barracks, the furlough was undeserved.

**Charles Fenyvesi**

*Charles Fenyvesi* is a Washington writer.

A new form of literary life.

# Cloning Around

A new literary genre, or at least a new form of interaction between author and reader, has been created by David Rorvik, author of *In His Image.* According to Rorvik's book, a cloned human child is now alive and well and about a year and a half old. Now Rorvik is on a national author's tour, assuring newspaper writers and television interviewers that the account is true. He declines, however, to provide a shred of corroborating evidence. His publisher, Lippincott, is playing its part by professing agnosticism. In a press release—which ought to be part of the book so that more readers could share in the game—Lippincott avers, "The story he tells is an astonishing one. David



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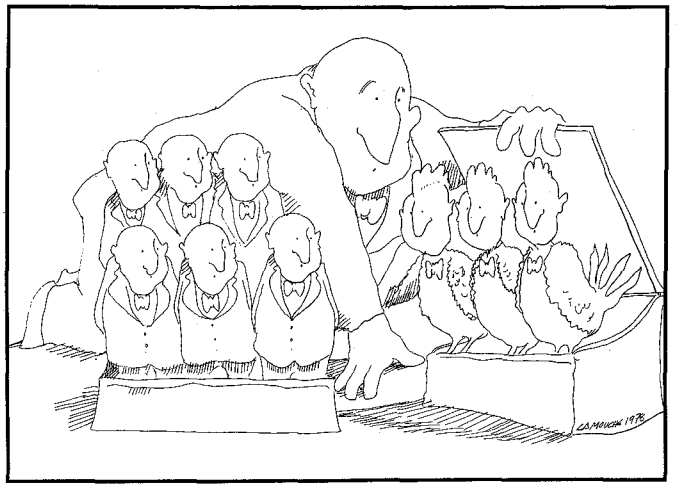
Rorvik assures Lippincott that it is true. Lippincott does not know. However, Lippincott believes that he has written a book that will increase interest and debate on issues of great significance to our immediate future. *In His Image* is being published as non-fiction on the strength of Mr. Rorvik's credentials."

As in any good thriller, the reader is presented with a challenging puzzle, in this case to decide whether the story is true. Rorvik, a former science writer for *Time*,



Drawing by La Mouche

explains the procedure by which frogs have been cloned and by which human eggs have been fertilized in the test tube and allegedly reimplanted in the womb for growth to full term. It is not so large a step, he implies, to combine these two techniques and others to achieve the cloning of a man.

In 1973, Rorvik recounts in his book, he was approached by a millionaire who wished to be born anew by having himself cloned. Having read Rorvik's writings on cloning research, the unnamed sexuagarian deemed Rorvik a suitable person to recruit the necessary medical personnel. A willing researcher was found and set to work in a hospital in an unnamed, underdeveloped country where the supply of human eggs and volunteers was no problem. After two years of experimentation, a human cloning technique was successfully developed. A cell from the millionaire's body was fused with an egg cell whose hereditary material had been inactivated, and the resulting embryo was inserted into the womb of a surrogate mother at the right stage of her menstrual cycle. By and by, the millionaire fell in love with clone's foster mother, the clone was safely born and so forth.

Rorvik declines to produce any supporting evidence on the grounds of protecting the identity of the millionaire and his clone. To the objection that it would be perfectly simple to test whether cloning had occurred by taking cell samples from each under some anonymous procedure, Rorvik replies that the millionaire has no interest in proving anything, shuns publicity and deeply disapproved of the book being written in the first place.

First reactions to the book from scientists have included outright disbelief and charges that the book is a hoax. In at least some instances the comments are tinged with explicit apprehension that the report of a human cloning, if accepted, will set off a witch hunt against genetic research. Those most knowledgeable about the subject discount Rorvik's claim, but not because it is technically impossible. "I would like to say that it is impossible but it is not. All the bits and pieces—although developed in other animals—are already lying around. It might be possible ifyou had lots of people, but I don't believe that just one guy could have brought it off," says an expert in reproductive physiology.

Advances that depend on a series of small technical steps rather than a large conceptual breakthrough are notoriously hard to predict. The first heart transplant, for example, not only took the world by surprise but occurred in a country not generally considered to be in the forefront of research. (Partly for bureaucratic reasons, test-tube study of human fertilization has been effectively halted in the United States since 1975.) The technical aspects of Rorvik's claim have to be judged as improbable or highly improbable, but not as absolutely impossible. If *In His Image* has an Achilles heel, it probably lies in the circumstances of the book's publication. Lippincott has an established reputation as a publisher of medical textbooks. Mightn't that reputation suffer from the apparent gullibility of publishing a controversial claim without any supporting evidence except the author's say-so? The book is put out by the adult trade division of Lippincott, not its medical branch.

As for Rorvik, accomplished science writer as he is, he must be regretting an interview he gave in May 1970 to the *Great Falls Tribune* of Great Falls, Montana, near his hometown. "He finds fiction writing more difficult than non-fiction, but is determined to complete his novel, 'The Clone,' and perhaps get it made into a movie," the article reported. Rorvik explains that this was a misunderstanding of a casual remark he had intended as a joke.

Cloning of human beings is perhaps not so threatening a development as the science fiction writers of previous decades supposed. After all, a man and his clone are hardly more than identical twins with an age difference, nor is the practice likely to become commonplace. The technique is probably near enough to practicality that Rorvik has every right to start a debate that perhaps is overdue, even if one may quarrel with his means of provoking it. Clifford Irving, the purported biographer of Howard Hughes, deceived his publisher; Lippincott is clearly under no illusions. There may be certain dangers in the literary form Rorvik has chosen, but it is at least, as one might say, novel.

**Nicholas Wade**

*Nicholas Wade* is a reporter for *Science* magazine.



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# White House Watch

## At Work Abroad

Having dealt last week with the fun-and-games aspects, not all of them totally funny, of the President's trip to Latin America and Africa, we turn here to some of the serious endeavors on the journey and what they tell about both the conduct and the expression of Carter foreign policy.

"It was a great trip, much better than we had expected in every way," the President said aboard Air Force One on the way from Nigeria to his last stop in Liberia, where everybody was friendly and nothing happened to change his opinion that he had accomplished a lot. Agreement that he did requires agreement with the President, Rosalynn Carter and his assistant for national security affairs, Zbigniew Brzezinski, among others, that personal contact and discussion between heads of state, on presidential trips and at the White House, make a real difference.

The evidence is conflicting. On his way home, for instance, the President said that "the response by the Brazilian government and people was extraordinary, in my opinion." This reporter failed to notice any such response in Brasilia and Rio. Brazil's president-dictator, General Ernesto Geisel, appeared in public to be cold and distant. An "American official" flying with the Carters from Brazil to Nigeria told reporters: "I am not exaggerating when I say that Carter and Geisel got along very well. Geisel was really cordial and increasingly so as the visit went on." A less senior but authoritative spokesman said in Lagos that he based his view that the visit to Brazil had gone better than the discernible tensions over human rights, trade policy and other issues had indicated on a decidedly more cynical and negative consideration. Brazil's foreign minister, Antonio Francisco Azerado dh Silveira, had said on television and in newspapers that Carter had invited himself, had not been invited, and that courtesy to him was therefore a matter of duty rather than wish. The American official judged in Lagos that Carter must have made a fairly good impression in Brazil because there had been no reports from the US embassy in Brasilia that Silveira had badmouthed the President since the Carters departed.

Brzezinski and other official briefers had emphasized in Washington before the trip began that few if any specific accomplishments were expected. A reasonable assumption, however, was that Carter might at least ask Venezuela, the principal Latin American supplier of oil to the US and the only Latin American member of OPEC, and Nigeria, the second-largest supplier of oil to the US, to work within OPEC to hold extortionate OPEC prices at their present levels instead of raising prices again this year. "It is obvious," Carter said while flying home, "that both Nigeria and Venezuela prefer a price increase." A remarkably candid official American briefer said during the President's flight from Caracas to Brasilia that one of several points of dispute between the Americans and the Venezuelans was Venezuela's hope that the US government would help finance development of the country's marginal petroleum resources. Venezuela's free-flow petroleum reserve is steadily diminishing. Carter refused, holding that marginal development should be privately financed. The same briefer also disclosed that Carter's good and voluble friend, President Carlos Andres Perez, sought and Carter refused official American help to overthrow the Somoza dictatorship in Nicaragua. The frankness of this informant became less surprising after the return to Washington. Terence Todman, the assistant secretary of state for Latin America, confirmed reports that he wants out. He is said to want to be named ambassador to Spain.

The big and underlying economic issue between the US and all four of the visited countries was the nature and extent of US and other industrialized countries' aid to developing countries—the so-called "north-south" issue. One of several seminal policy turns that Henry Kissinger initiated during the Nixon and Ford years and that the Carter people have tried to blank from history and their memories was the beginning of an American effort to comprehend and in a limited way to satisfy the demand of poor and not-so-poor countries for a share of rich countries' wealth. The official American view since the Kissinger period has been that the developing countries are asking the US and the industrialized "west," Japan included, to open markets and transfer resources—actual money, in effect—from the rich to the poor in a fashion that is politically impossible. Carter got the demands in full blast from Perez in Venezuela and his friend and fellow-Baptist, Lieutenant General Olusegun Obasanjo, Nigeria's head of state. With both of them and also with his hosts in Brazil and Liberia, Carter and the officials and economists with him danced around the issue as best they could and indeed as they had to do, it being impolitic to blurt the bald truth that the US Congress and probably the US public wouldn't stand for giving the beseeching countries anywhere near what they want in the way of market access on preferred terms and outright subsidy from an international Common Fund. Carter's talk throughout the trip of the need for "shared responsibilities" in trade and related negotiations was code for saying the supplicants simply had to recognize the economic and political realities that inhibit governments in the developed countries. The aforementioned briefer on the President's Caracas-Brasilia flight described an interchange in Caracas as follows: "Carter said it would be very important for the extremists to cut the rhetoric down,



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criticizing the efforts that we do make and not accepting the fact that these things have to go step by step." That was tough talk, especially when addressed to so florid and friendly a host as President Perez.

Carter's major accomplishment on the trip, he seemed to believe, was the shove he appeared to give American policy on black majority rule in Rhodesia toward the policy of his Nigerian host, General Obasanjo. The crux of the difference on Rhodesia between Carter and Obasanjo when Carter arrived in Lagos was also the crux of the difference between Carter and his black ambassador to the United Nations and to the black world, Andrew Young. It was whether the US and Britain, working together to resolve the Rhodesian problem, should reject the "internal settlement" announced last March 3 between white Rhodesian Prime Minister Ian Smith and three black Rhodesian leaders, and instead should back Joseph Nkomo and Robert Mugabe, two Rhodesian black leaders who were fighting the previously all-white Smith regime and Smith's black collaborators from outside Rhodesia. Obasanjo and Young totally distrusted Smith, his collaborators and their formula for the establishment of joint black-white rule this year. Carter, Brzezinski and Secretary of State Cyrus Vance had neither accepted nor rejected the Smith plan but had said or let their spokesmen say it at least was "a step in the right direction."

Carter and Obasanjo in a joint communique appeared to reject the Smith internal settlement with this language: "The two heads of state agreed that the [Smith] arrangements do not change the illegal character of the present regime and are unacceptable as they do not guarantee a genuine transfer of power to the [black] majority nor take into consideration the views of all the Zimbabwean nationalist groups."

Zimbabwe is black for Rhodesia. Obasanjo spoke as if he took the communique language to mean "total rejection" of the Smith settlement by Carter. Brzezinski said after the communique was issued that the Smith settlement was still considered "a step in the right direction." Carter and Secretary Vance invited the Rhodesian parties—Smith, his internal collaborators, and Nkomo and Mugabe—to join two-step negotiation of a settlement that would give all of the black factions places in a new majority government.

**Next Week:**

Morton Kondracke
on the Greek lobby and
arms for Turkey.

Carter officials had expected Nkomo and Mugabe to be in Lagos when Carter was there. They never showed. Vance said they had agreed to join the proposed preliminary discussion. Carter said after he returned to Washington that "at least one of them, Mugabe, said he would participate." It then was Nkomo, not Mugabe, who had said he would participate. Smith and his black associates rejected the all-party proposal but said they'd discuss it with Vance in Salisbury.

A fortnight after Carter's return to Washington, his new approach to Rhodesia and southern Africa was officially said to be in less confusion than it appeared to be. Let's hope so. Otherwise Carter and Andrew Young were closer than they seemed to realize to being perceived as parties to a massacre of blacks by blacks in Rhodesia.

**John Osborne**

## On the Hill

# Barely Civil

Carter knits and Congress unravels. That seems to be the pattern for dealing with big domestic reform plans in this administration. Problems with oil, welfare and the cities are closely studied. Special assistants from all over the government dream up "answers" to the problems. The President picks from among the dozens of options, weaving a cloth that incorporates a little patch of every good idea but not too much of anything bold. Then, when the final product reaches Capitol Hill, the lobbies descend and pull it apart. Each interest group tugs at its special thread, and the fabric disintegrates.

Last week the civil service reform plan was being undone. Hearings were being held in the civil service subcommittee of the Senate's Government Operations Committee. The war veterans groups were there to speak their mind, as was Ralph Nader, identified merely as "public citizen." Half an hour before any senator appeared, the room had filled with middle-aged veterans wearing blue-and-gold and white-and-gold caps. Many had canes or crutches, and their caps identified them as belonging to suburban outposts of the Disabled American Veterans. Some came from as far away as Baltimore. They must have risen early to drive to Washington, DC to hear their leaders testify. Oddly, Carter's proposal would have hardly any effect on disabled veterans.

The veterans are opposed to the civil service bill because it would reduce "veterans' preference" in federal hiring. At present, the civil service rules give three special advantages to veterans. Veterans who



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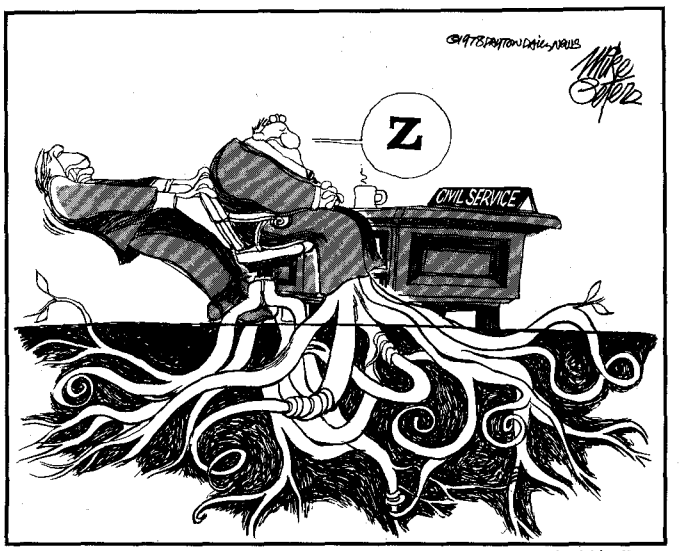
pass the written test and have not been disabled are given an extra five points on their test score. Those who have been disabled, along with the widows and mothers of those killed in action, are given an extra 10 points. In addition, veterans with a service-connected disability of 10 percent or more are put at the head of the list of eligible candidates for any job they seek. An official who wishes to pass over the first three names on the list (and under the present system, the names come up in threes), must get approval to do so from the Civil Service Commission if one of the three candidates is a veteran. President Carter would like to trim the preference so that it would be given only for 10 years after a veteran leaves the service. For those under the rank of major who retire after 20 years of active duty, the preference would last only three years. Senior officers who retire with pensions after 20 years would get no hiring preference. In addition, a federal official would be allowed to hire from a candidate list of seven names rather than three. These changes are intended to make government hiring policies more flexible. None of them, incidentally, would deprive disabled veterans of their advantages. Quite the opposite, Carter's bill would give the disabled a couple of new benefits. For example, those with a service-connected disability of 50 percent or more would be made eligible for non-competitive appointment to jobs they are otherwise qualified for.

The spokesman for the disabled veterans, Norman Hartnett, said "today there is rampant evasion of veterans' preference." He was unalterably opposed to any tinkering that would lessen the preference. The audience cheered when he concluded, "This committee, I'm sure, will not fail America's veterans as this nation's veterans did not fail America." Hartnett represents at least 562,000 voters. The spokesmen for the Veterans of Foreign Wars and the American Legion were received just as warmly. They were harsher in their denunciation of the bill. The legislative director of the VFW, Donald Schwab, brought up the interesting argument that a federal job is "a substantial property right." He spoke against changes in the system that would reduce an employee's right to appeal his dismissal, because it would be like seizing property without due process. Schwab defended the bias inherent in the present law: "Veterans' preference does discriminate against those who . . . did not serve their country in uniform. Yes, these people are discriminated against and it is intended they should be. They have already received their preference—the draft dodgers by being alive, not maimed, and safe from harm's way . . . ." The American Legion and VFW represent 4.5 million voters, or six million if the women's auxiliaries are counted.

The senators were attentive. Chairman James Sasser was politely neutral. Charles Percy, who like Sasser is a cosponsor of the reform proposal, allowed as how he had a lot of doubts about the bill and hadn't really made up his mind on it. He asked a few critical questions. He quoted statistics showing that Vietnam veterans—the ones most desperately in need of work—do not seem to benefit as much from veterans' preference as older veterans do. What good has it done them? Percy asked. He was told not to put much faith in statistics. Senator



Drawing by Mike Peters

John Heinz said he was so skeptical of the bill he had not even endorsed it.

None of the witnesses wanted to discuss the broad merits or objectives of the bill. The veterans were preoccupied with keeping their preference, just as, the week before in hearings in the House, federal employees unions were preoccupied with removing the personnel management sections of the bill that would make their jobs less secure. Even Ralph Nader, though he did speak briefly about the bill's good intentions, focused on a special request. He grudgingly endorsed the bill as a "step in the right direction." Then he asked that a new section be added to give special treatment to his constituency—the "whistleblowers." The present bill, according to Nader, is inadequate because it would only come to the rescue of a government troublemaker after he or she had been disciplined, and only if the punished person could prove that he or she had been wrongly punished. Nader would like to give protection to troublemakers in advance. He would have the bill rewritten so that "any personnel action taken against a whistleblower within a statutorily defined time after the disclosure [or wrongdoing] is made should be presumed to be in retaliation, and the burden of proof to sustain the action should be shifted to the agency." This would help whistleblowers, and it also would encourage anyone who felt in danger of being fired to spout accusations. The senators nodded and promised to give careful thought to Nader's criticism.

The civil service reform now confronts troops of well organized opponents. Its friends are few and scattered, and they grow more timorous each day. Carter's announcement last week that he intends to hold federal pay increases to a rate of 5.5 percent this year as an



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inflation-fighting measure provoked a new chorus of anti-reform snarls. The unions denounced it (one said it was "disgusting"), and they made it clear that if the pay freeze goes through Congress, the reform bill will not. Carter finds himself in a lonely role, but nevertheless a role that may please him. It is that of an old prophet who preaches abstinence and repentance. He is surrounded by a city of non-repenters. They are his subordinates in theory, but in practice they may veto his modest reform.

**Eliot Marshall**

Muriel Humphrey's withdrawal makes it two interesting Senate races this fall.

# Minnesota Twins

In announcing that she would not seek election to the four remaining years of her late husband's term in the US Senate, Muriel Humphrey resisted the importunings of some prominent politicians. According to statements by Senator Humphrey herself and reports from Minnesota attributed to members of the Humphrey family, shortly after Governor Rudy Perpich appointed her to the office, Vice President Mondale encouraged her to be more than a seatwarmer. Then the Vice President's wife, Joan, and Rosalynn Carter added their persuasion over lunch. AFL-CIO's chief political moneybags, Alexander Barkan, flew to Minnesota to make his appeal. And, finally, President Carter himself added a nudge from the White House.

What Muriel Humphrey was hearing, both in Washington and in Minnesota, was that the Democratic-Farmer-Labor Party, which her husband helped to found and which presently controls both houses of the state legislature, all statewide elected offices, both US Senate seats and half the House delegation, is in trouble. The Humphrey name near the top of the ticket would be very helpful. Apart from President Carter's declining popularity among farmers and the prospect of a general Republican resurgence in the Midwest, the DFL's biggest problem is that none of its principal officeholders actually was elected to the offices they hold. When Senator Walter Mondale ascended to the vice presidency, Governor Wendell Anderson resigned, having first arranged that when Lieutenant Governor Perpich moved up, he, Anderson, would be appointed to the Senate vacancy. On the death of Hubert Humphrey, Perpich appointed Muriel Humphrey to the state's other Senate seat. It appeared for a time that the highest remaining elected official in the state, the attorney general, also would quit to accept a federal judgeship, thereby leaving another empty post to be filled by appointment. All this has called a great deal of attention to what the Minnesota Independent-Republicans call "government by appointment," an issue they intend to exploit to the hilt. The likely GOP nominee for governor, ten-term congressman Albert Quie, has filled the Minneapolis-St. Paul area with billboards reading, "Something scary is going to happen to the DFL. It's called an election."

Both Minnesota senate seats are up this year. With Muriel Humphrey out, Wendell Anderson must bear the full brunt of the appointments issue. His opponent will be Republican national committeeman Rudy Boschwitz, a millionaire businessman with a down-home image conveniently fostered by years of television exposure. Boschwitz appeared wearing plaid flannel shirts in TV commercials for his plywood and home improvement businesses. His campaign theme—"He is you and me"—plays on the folksy image. Harold Stassen, Minnesota's state joke, is also in the GOP primary, but Boschwitz not only is certain to win the nomination, he also has pulled ahead of Anderson already, 48 percent to 45 percent, in last month's *Minneapolis Tribune* poll. Boschwitz plans to spend $1.9 million. This is said to be more than twice what any other candidate ever has spent in a Minnesota election.

In his two races for governor, Wendell Anderson was one of the largest vote getters in DFL history. His unrelieved slump in popularity derives almost entirely from the popular view that contriving to get himself appointed to the job was opportunistic and out of step with Minnesota's open-politics tradition. Democratic leaders in the state believe that Anderson still can recover by spending much more time in the state, by hitting Boschwitz hard on the issues and by depicting Boschwitz as the conservative he is (pro-B-1 bomber, anti-canal treaties, pro-deregulation), thereby denying his opponent the opportunity to coast by on image politics. Anderson also hopes to bottom out of his slump by mounting an early television blitz of his own. But the reclamation job will not be easy. Right now, nearly a third of the DFL's voters say they're for Boschwitz over Anderson. Among independents, who constitute the second largest voting group in the state, Boschwitz leads the appointed incumbent nearly two-to-one. Also, the decision to take on Boschwitz head-to-head carries some risks, especially so early in the season. For example, Anderson recently agreed to debate his unnominated opponent on statewide public television, to the glee of Republicans. They believe that, win or lose, Boschwitz inevitably comes away from such a confrontation with added stature.

Muriel Humphrey's decision all but assures that the DFL nominee for the remainder of her husband's term will be Representative Donald Fraser, who mounted an effective bid for endorsement at the party's June 2 convention, winding up ahead of Humphrey both in the



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polls and in terms of committed delegate support even before she dropped out. Fraser has a strong base in the activist wing of the DFL. Since 1962, when he defeated Walter Judd, Chiang Kai-Shek's man in Congress, he has won reelection by majorities up to 70 percent. No finger-to-the-wind politician, Fraser has taken aggressive stands for the environment and against proponents of a bigger defense budget. He repeatedly has butted heads with conservative Democrats and the Carter White House over party reform issues. Fraser was a leader of the movement to bring more democracy to the procedures of the US House, leading the drive for recorded floor votes and greater influence for the party caucus. More recently his subcommittee launched the potentially unpopular investigation of South Korean attempts to influence members of Congress. Fraser's positions on foreign and defense policy and his activities in the party reform movement have not enhanced his popularity with the George Meany wing of the labor movement, despite a near-perfect COPE voting record. His strong stand in favor of abortion, probably Minnesota's hottest political issue, makes him the least acceptable candidate to right-to-life forces, which control nearly one-third of the delegates to the June convention.

After he wins the DFL endorsement, Fraser still will face a primary challenge from Robert Short, millionaire and former finance chairman of the national Democratic Party. In the nation's capital, Short is best (and unfondly) remembered as owner of the Washington Senators baseball team, which franchise he moved to Texas, leaving behind an empty stadium. Short will have plenty of money to spend in a primary, he may get some labor support and he surely can damage Fraser even more on the touchy abortion issue. But in Minnesota, the candidate endorsed by the party wins the primary; Fraser will be the nominee, though the contest could be expensive and the body count high.

After the primary, Fraser is a better bet to win election than Anderson. As long as Muriel Humphrey was the probable candidate, the Republicans planned to run only a *pro forma* campaign against her. By delaying the announcement of her decision not to run, she kept the strongest potential Republican contenders—representatives Tom Hagedorn and Bill Frenzel—on the sidelines. Now, Hagedorn has taken himself out and Frenzel is expected to do likewise. Meanwhile, Boschwitz has had the party's center stage entirely to himself, and has used it effectively to help his campaign against Anderson. As a result, Fraser will be left with the weaker of the two GOP Senate opponents.

Wendell Anderson has been selected as a vulnerable incumbent by national GOP organizations, and Minnesota Republicans recognize the unlikelihood that voters will throw the DFL out of both Senate seats in the same year. In politics, the rule of thumb is that power is the reputation of power; and that, conversely, vulnerability is the appearance of vulnerability. To the Republicans, that means concentrating on beating Anderson. That way, voters can exorcise their anger over the appointments issue by voting for Boschwitz, then confirm their loyalty to the DFL by voting for Fraser.

It just might work out that way, and if so Minnesota will have two new senators come January 1979.

**Ken Bode**

A confident prediction.

# Another Good Season

Another baseball season is about to begin. It will be a good season. Every baseball season is a good one. The strength of the game is proved year after year, despite expansion teams (which in recent years have done no worse than the old St. Louis Browns used to do season after season) and changes in rules and record-keeping. The designated hitter experiment seems to have done no lasting harm.

The livelier ball has been introduced, but the relative strength of hitters and pitchers seems to be in reasonable balance. The cowhide cover, proposed as a substitute for horsehide, has been rejected. The hardwood bat has survived the onslaught of aluminum and plastic substitutes.

Team loyalty is adequate. Team spirit and loyalty have never been as important in baseball as in other sports, in any case. Baseball teams do not carry chaplains, as do some football teams. They do not gather, kneeling or standing, in a group to pray or hold hands before the game, as basketball teams do, but proceed decently from locker room to dugout to playing field.

Baseball, forever resilient, has adjusted to night games, to artificial turf, to the Astrodome and to Charley Finley.

The reason is not a matter of accident. It is a matter of essence, for baseball is different from other games. Its strength is inherent, metaphysical. Why? First, the game has a singular and distinctive relationship to time. Only baseball can be called a "pastime." Baseball is above or outside of time. Football, basketball, hockey and soccer games are arbitrarily divided into measured quarters, halves or periods. They are controlled, even dominated by time. Not so of baseball, which either ignores time or dominates it. An inning theoretically can go on forever. The same is, of course, true of a game. Interruptions are generally limited to acts of God, such as darkness or rain, or to cultural and quasi-natural occurrences such as curfew or midnight (in games played under the lights). If for some reason—



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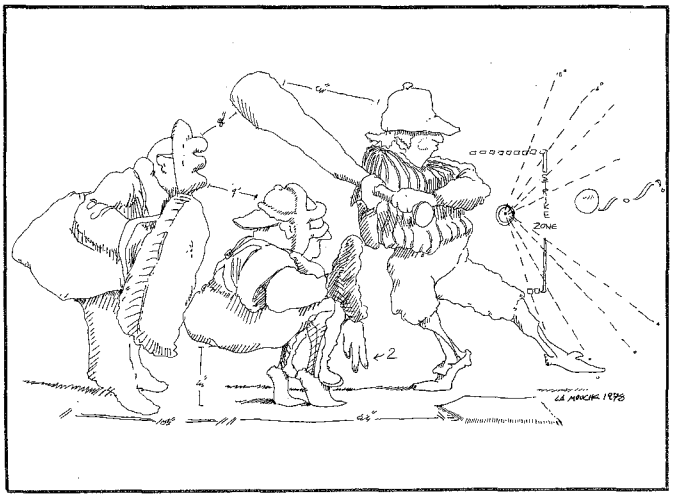
dust in a batter's eye, rain or the like—a baseball game must be halted, "time out" is not taken, with referees looking at their watches. Rather, time is "called" by the



Drawing by La Mouche

umpire. Again theoretically, time could be "called" and remain "called" forever.

Baseball is played in a unique spatial frame. Other games are played inside defined and limited areas: rectangular or near rectangular fields, floors or rinks. Not so with baseball. Baseball is played within the lines of a projection from home plate, starting from the point of a 90 degree angle and extending to infinity. Were it not for the intervention of fences, buildings, mountains, and other obstacles in space, a baseball travelling within the ultimate projection of the first and third baselines could be fair, and fully and infinitely in play. Baseballs never absolutely go out of bounds. They are either fair or foul; and even foul balls are, within limits, playable and are part of the game.

Baseball is distinguished from other games, also, in the way it is controlled by umpires. An umpire is very different from a referee, a field judge or a linesman. Baseball uses umpires and no one else, an important distinction. And one umpire is always wholly responsible.

One occasionally hears the cry "fire the referee," but one seldom hears "kill the referee." That cry is reserved for umpires with good reason. Umpires have to be dealt with absolutely, for their power is absolute. Referees are men called or appointed. Umpires, by contrast, seem to exist by their own right and exercise undelegated power which is not to be reviewed. They are not asked to make judgments. They make them. The word itself carries this strength. It is derived from the Old French word "noumpere" meaning one who is alone or without a peer (literally without a father or a superior). "Refuse not," the medieval divines warned, "the umpeership and judgments of the Holy Ghoste."

Baseball is different from other major sports in two other significant ways. First, the individual is under constant surveillance. At all times one player, at least, is personally accountable. In football, a player may fall down and get up with mud all over him; and no one knows whether he has done his job. In basketball and in hockey, it is difficult to follow the action and measure the responsibility of each player.

Second, baseball is a game of records, team and individual. The bookkeeping is balanced. It shows earned runs and unearned runs. Hits are credited to batters and debited to pitchers. Errors are recorded along with assists and put-outs. Times at bat, home runs, triples, singles, sacrifices, strikeouts, passed balls, wild pitches, walks, balks, runs batted in, runs scored and batting, fielding and pitching averages all are in the book. The game is played for the game, but also for the record.

At the end of the last game of this year's World Series, one knew not only that the Yankees had won the series, but also that Reggie Jackson was the first man in history to hit five home runs in a series, and that he hit them in his last nine times at bat. Moreover, he hit four of them on his last four swings; and each of the last three was hit on the first pitch to him in that time at bat.

The game is the same whether played in the Astrodome, in Yankee Stadium or as described by Robert Fitzgerald in his poem called "Cobb Would Have Caught It":

*In sunburnt parks where Sundays lie,*
*Or the wide wastes beyond the cities,*
*Teams in grey deploy through sunlight.*

*Talk it up, boys, a little practice.*
*Coming in stubby and fast, the baseman*
*Gathers a grounder in fat green grass.*
*Picks it stinging and clipped as wit*
*Into the leather: a swinging step*
*Wings it deadeye down to first.*
*Smack. Oh, atta boy, attaold boy.*

*Catcher reverses his cap, pulls down*
*Sweaty casque, and squats in the dust;*
*Pitcher rubs new ball on his pants,*
*Chewing, puts a jet behind him;*
*Nods past batter, taking his time.*
*Batter settles, tugs at his cap:*
*A spinning ball: step and swing to it,*
*Caught like a cheek before it ducks*
*By shivery hickory: socko, baby:*
*Cleats dig into dust. Outfielder,*
*On his way, looking over shoulder,*
*Makes it a triple; A long peg home.*

*Innings and afternoons. Fly lost in sunset.*
*Throwing arm gone bad. There's your ball game.*
*Cool reek of the field. Reek of companions.*

## Eugene J. McCarthy

*Eugene J. McCarthy* is the former senator from Minnesota.



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It's one of the biggest and silliest loopholes in the tax code, and President Carter wants to expand it.

# Credit Where Credit Isn't Due

## by Robert S. McIntyre

Back in the days of Camelot, when President Kennedy promised "to get this country moving again," a Democratic administration proposed an unusual tax break for business. Called the "investment tax credit," it has become the biggest corporate loophole in the tax system, currently costing the government more than $13 billion a year. This tax subsidy makes Uncle Sam a partner in the purchase of new industrial equipment, by giving businesses a tax reduction equal to 10 percent of the cost of new machines.

The nuances of the investment credit take up many pages of the Internal Revenue Code, but in essence it works quite simply. Every dollar a company spends on new equipment means 10 cents off its tax bill. This is not a deduction from taxable income, but an actual *credit* against taxes otherwise due. The only difference between this credit and direct subsidy for businesses is that the Secretary of the Treasury doesn't have to sign a check.

Of the $13 billion of our money the Treasury will spend on the investment credit this year, about 70 percent will go to the biggest one-tenth of one percent of US companies, each with assets of more than $250 million. The investment tax credit saves AT&T alone close to a billion dollars every year, General Motors pockets more than $125 million, Dupont about $100 million, Mobil over $60 million and so on. In effect, every American taxpayer contributes well over $100 a year to the nation's 1500 largest corporations.

What do we gain for our $13 billion? Defenders of the credit claim that it is a powerful way of stimulating needed business investment in new productive capacity. They make their case primarily on the basis of logical deduction. By lowering the cost of new equipment, the credit should increase the effective rate of return, and therefore business should be more willing to buy new machines. Individual businesses get the direct benefit of the profit created by these new machines, but society as a whole benefits indirectly and in the long run by having an expanding economy. Since the government spends only 10 cents for each dollar of investment it subsidizes, this seems like a powerful stimulus tool.

Unfortunately, this logical argument quickly breaks down under analysis. First of all, most of the investment the credit subsidizes would be undertaken anyway. Even without a special tax break, profitable companies would be investing constantly in new machines. The consensus among economists is that each dollar lost to the government through the investment credit produces only a dollar or less in new investment.

This means that the government is spending $13 billion a year to achieve *at most* a $13 billion-a-year increase in productive capacity. And society gets none of the *direct* benefit of this expenditure—the return on the investment—as it would if the government simply invested $13 billion a year in machines itself.

We pay a heavy price for even these modest increases in industrial investment. To the extent it stimulates investment in machinery, the tax credit diverts money that would be invested in other areas and, by putting added pressure on the existing supply of credit, raises interest rates. One effect has been higher mortgage rates and reduced investment in housing. The credit also reduces the countercyclical effects of the federal income tax. One of the advantages of an income tax is that it helps to smooth out the business cycle: When profits go up, taxes increase too, exerting a dampening effect; when profits go down, taxes decrease, resulting in a stimulus. Because investment tends to be high in boom periods and low in recessions, the effect of the investment tax credit is to lower taxes when they should be rising to curb inflationary pressures, and to raise taxes in recession periods when they should be lowered to stimulate the economy.

As a way of cutting corporate taxes the investment credit is remarkably discriminatory. One of its effects is to tip the competitive balance further in favor of the largest companies, which tend to be capital intensive, and against small businesses, which typically tend to depend more on labor. As a way to stimulate employment, the investment tax credit is positively perverse, since it subsidizes employers for replacing workers with machines.

A recent study by Alan Auerbach and Lawrence Summers of Harvard shows that after 16 years, the investment tax credit has caused economic distortions, higher interest rates, over a half a million fewer housing units and a general "undesirable effect on the economy." They also point out that as the credit has been implemented it probably also increased unemployment, heightened inflation in 1972 and 1973 and

*Robert S. McIntyre* is a staff attorney with Tax Reform Research Group, a part of Ralph Nader's Public Citizen organization.



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exacerbated the sharp 1975 recession, among other bad things. Nevertheless, Charles Schultze, chairman of the Council of Economic Advisers, has convinced President Carter to propose *expanding* the credit by about two billion dollars a year, as part of the administration's tax program for 1978.

How did we get into a situation in which a tax-reform-minded President wants to lose even more of our money to subsidize our largest corporations? A little history is instructive, not only about the investment credit but also about the general erosion of the Internal Revenue Code because of the nibbling of special interests.

When the investment credit first appeared in 1962, Kennedy administration policymakers—unabashed disciples of Keynes—saw it as an opportunity to use fiscal policies to "fine tune" the economy into perfect running order. The credit was seen as a stimulative tool which could be turned on and off as needed, based on the enlightened analytical powers the Kennedy economists felt they brought to the national scene. For this reason, cautious businessmen and Republicans actually opposed the new gimmick vehemently when it was first proposed. The futile fight to defeat the credit was led by senators like Harry Byrd of Virginia and Carl Curtis of Nebraska, in an unusual alliance with perennial campaigners for tax justice like Paul Douglas and Albert Gore.

Kennedy's advisors pushed for the credit in the misguided belief that it would be especially helpful to small business because—as a credit rather than a deduction—the subsidy would not depend on tax rates. The Senate Finance Committee's report on the bill echoed the administration's claim, saying that the credit "will be particularly important for new and smaller firms." It's hard to tell if anyone really believed this—in 1964 the Republicans asserted that "even the Treasury recognized the discrimination in favor of big business which was inherent in the investment credit"—but today it is very clear that small business gets almost nothing from this particular tax subsidy. The smallest 71 percent of all corporations garner less than three percent of the value of the credit, and the figure would be even lower if unincorporated businesses were included.

In 1966, the Democratic economists, whose enthusiasm for the credit was already waning, got their first chance to attempt to use it as a "fine tuning" device. As an anti-inflation measure, the credit was "suspended" in October of that year, and scheduled to resume effectiveness on January 1, 1968. The effects on the economy were unanticipated and startling. The policymakers had expected that removing the stimulus would have a mild disincentive impact on new investment, but they didn't consider the effect on business psychology of the *temporary* nature of the suspension. Sensibly realizing that investments that could be delayed until 1968 would be substantially more profitable, businesses sharply curtailed their purchases of new machines. By March 1967 unemployment had reached an 11-month high, overtime work had decreased precipitously and machinery capacity utilization had dropped by five percent. According to Auerbach and Summers, "the economy [was] actually in worse condition, operating at a lower level, than it would have if the credit had never been enacted." A shocked Congress hurriedly restored the credit ahead of schedule, announcing that "inflationary forces . . . have abated." And chastened Democratic tax reformers went to work on a tax bill to remove this dangerous force from the tax system.

In 1969, the incoming Nixon administration, still influenced by the original Republican opposition to the investment credit, sought and obtained repeal of the credit. It was a good time for repeal, because the Vietnam war was overheating the economy. The House Ways and Means Committee—remembering the 1966 debacle—made it clear that the credit was not being buried with the thought of future resurrection. "The investment credit," the committee report noted, "does not lend itself well to suspension, restoration, and then suspension again." And that, many hoped, was the end of the investment credit.

By 1971, however, Richard Nixon had already begun soliciting contributions for his last campaign, and his friends in the business community were letting him know that they wouldn't mind some new government subsidies. The result was that Treasury Secretary John Connolly came to Capitol Hill carrying what Harvard tax expert Stanley Surrey calls "the worst piece of tax legislation in modern history." This unusual tax "reform" bill contained more tax cuts for corporations than for individuals. In an explosion of acronyms, it included the notorious Domestic International Sales Corporation (DISC) subsidy for exporters and the Asset Depreciation Range (ADR) system for accelerated writeoffs. And it proposed re-enactment of the investment tax credit, ludicrously mislabelled as a "job development credit."

The Democratic Congress, seeing the economy at the beginning stages of stagnation and vaguely remembering the credit as the tool used by President Kennedy to get us moving again, went along. Our representatives ignored the counsel of the AFL-CIO that "the investment credit put into effect in 1962 had practically no impact whatsoever until the 1964 tax cuts and the 'Great Society' programs of 1964 and 1965 boosted demand, boosted sales, boosted orders." But they did remember the calamity of 1966, and, misinterpreting it, made the seven percent permanent. By 1975, the oil shortage and Nixonomics had taken their toll, and Congress was frantic to find a solution. As part of the Anti-Recession Tax Cut Bill, the investment credit was increased "temporarily" to 10 percent.

This was the situation Jimmy Carter found when he



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took office. During his 1976 campaign, Carter had harshly criticized special tax breaks for "rich corporations" that "have robbed the average taxpayer and have benefitted those who are powerful and who employ lobbyists and CPAs and lawyers." Carter should have been especially aware that the investment credit is one reason why the income tax system is "a disgrace to the human race": not long after his inauguration, he had to report in embarrassment that he himself owed no taxes on a 1976 income of $50,000, because of a large investment credit for a new peanut processing machine. (He made a voluntary contribution to the Treasury of about half the amount he would have owed without the credit.)

But soon Carter was embarked on a quixotic quest for "business confidence". And when he consulted with business leaders, they made it clear to him that their interest in fiscal conservatism and a balanced budget did not interfere with their desire for more government subsidies through the tax system. The early criticisms of the investment credit by Republicans and businessmen, who called it "a multi-billion-dollar windfall" of "questionable and doubtful" value, had long since been forgotten—because the value had become apparent. At $13 billion per year, the credit now represents a large part of the after-tax profits of US businesses. For many of the very largest corporations, it is responsible for as much as a quarter of their profits each year.

So President Carter's tax reform package for 1978, most of which consists of important and long-needed improvements in the tax system, actually *expands* the investment credit. One change would allow businesses to offset up to 90 percent of their tax liabilities in any year with the credit, compared to a 50 percent limit under current law. The administration's defense of this change is that it would enhance the stimulative effect of the credit and simplify the tax laws because companies could get more of the benefits of the credit immediately, rather than having to carry unused credits over to later years. But the main result of such a change would be to create whole classes of virtually non-taxpaying industries composed of companies that combine the investment credit with other gimmicks in the tax laws. We already have had some experience with what happens when an industry is taken off the tax rolls, and how hard it is ever to get the companies involved back on. One case in point is the airlines. In the early 1970s they (somewhat foolishly) invested very heavily in new planes. Because of the accelerated depreciation rules in the tax laws, they were able to take huge write-offs, reducing their taxable income to near zero. In fact, they didn't even need most of their investment credits, and so they accumulated them for later years. When they started running out of depreciation deductions, the "carried forward" credits came into play. There was just one problem: the law limiting to 50 percent the amount the credit could reduce a company's taxes. Faced with the danger of having to pay taxes again, the airlines ran to Congress for help. Our representatives dutifully passed a special rule letting airlines offset *all* their taxes with the credit. It is now an established principle in Congress that airlines should not pay taxes. Last year, when one Texas airline discovered it might actually owe something, the Senate Finance Committee passed a special amendment to rectify the situation. (The bill is still pending in the Senate.) The provision allowing the airlines to offset 100 percent of their taxes with the credit was supposed to be only "temporary," but the President's 90 percent rule essentially would make it permanent, and would establish other virtually no-tax industries as well.

Another administration proposal is to extend the investment tax credit to include industrial structures as well as machinery. After 16 years, the investment credit has artificially distorted the composition of business investment in favor of equipment. Allegedly in order to correct this situation, the administration would allow the credit for new plants as well. Extending the investment credit to structures to compensate for distortions caused by restricting it to equipment is a good example of how irrational tax loopholes, once introduced, expand out of control. The classic case is the percentage depletion allowance, which originally applied only to oil and gas, but over the years has been extended to uranium and coal and ultimately to over one hundred other such "irreplaceable natural resources," including sand, gravel, and oyster shells. And having encouraged the using-up of our resources, this tax preference reached its obvious and absurd conclusion when processors of recycled materials argued that they, too, needed a depletion allowance to compete with those selling virgin products.

Already, voices on Capitol Hill are complaining that extending the credit to cover structures would add an artificial stimulus to the trend of businesses abandoning their old plants in the cities of the industrial Northeast and Midwest, and building new ones elsewhere. Organized labor strongly opposes this change, as do mayors and congressmen from cities and other areas likely to be hurt. Predictably, the administration now proposes in response to extend the credit once again to cover rehabilitation of older plants as well. But nobody's buying this. It's apparent that almost all of the $1.5 billion this change is expected to cost would go to those who build new plants. In fact, the administration's own urban program undercuts its contention that inner-city plants would get much help from the expanded credit. That program offers an extra 5 percent for investments in hard-hit areas, yet it is budgeted for only $200 million.

The final administration proposal concerning the investment tax credit is to make the 10 percent level permanent, repealing a provision in current law that would return it to seven percent in 1981. Trying to



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defend this change, the Treasury Department stands logic on its head. Noting that it is unclear whether Congress actually will let the credit revert to seven percent, Treasury maintains that this "uncertainty diminishes the incentive effect of the credit and is undesirable, particularly when the rate of capital investment is inadequate." But of course logic suggests exactly the opposite: fear that the credit might be reduced in three years should encourage *more* investment now, not less. The best policy for the administration to follow would be to affirm its support for the 1981 reversion to seven percent, and further to set a policy for phasing out the credit thereafter.

This sort of action constitutes what the administration would be proposing if it could be deemed serious about increasing industrial investment, rather than just giving away money to big corporations to gain their goodwill.

An old Labor Zionist renews her disenchantment with Menachem Begin.

# The Revisionist in Power

## by Marie Syrkin

Recently a number of commentators, friendly and otherwise, have been urging American Jews to express their dissatisfaction with the policies of the Begin government. Ideological and political debate flourishes in democratic Israel, so why is the "Jewish establishment" in the United States less vocal, in fact supinely acquiescent? I. F. Stone, though hardly lacking forums for expressing his views, disingenuously mourns the failure of American rabbis to invite him to expound his familiar pro-Arab stance to their congregations. Counsel to speak up comes from those whose concern for Israel is credible as well as from those whose motives are suspect.

Old Labor Zionists like myself cannot pretend to enthusiasm for either the domestic or the foreign policies of Begin. At the same time I am repelled by the cynical pro-Arab tilt of the Carter administration and the readiness of Israel's active foes to shed crocodile tears over her intransigence. I find the hosannahs that greeted Sadat as a messenger of peace excessive, especially since the frequent repeated public offers by Israeli leaders to travel to Cairo or Damascus for face-to-face negotiations evoked no such genuflections. Admittedly, Sadat's dramatic gesture, the right of Israel to exist, was from the Arab point of view substantive. But Israel could hardly be overwhelmed with gratitude for this sole, if significant, contribution to the peace-making process. What mattered were the terms of this existence and in this regard Sadat presented the total roster of Arab demands. When the smoke cleared, a polite, adamant Sadat had encountered a soulful, rigid Begin; on some points Begin actually proved unexpectedly flexible. Sadat rapidly grew less polite at the failure of instant capitulation.

All this acts as a powerful inhibition on those who disagree with Begin yet do not wish to signify agreement with the similarly intractable Sadat. Furthermore there is the danger that any Zionist opposition to the present government will be exploited by the anti-Israel cabal to undermine Israel's position with the American administration. Despite this dilemma, I venture some observations.

In the past the Zionist and Jewish consensus in support of Israel rested, first, on deeply felt belief in the absolute justice of Israel's cause; and, secondly, on confidence in the relative justice and good sense of Israel's proposed solutions for the Arab-Israel conflict, even though the Arabs vehemently rejected the compromises offered by the moderate Labor government. Now this consensus is being shaken regarding one issue—Begin's obdurate stand on the future of the West Bank. Anyone present at the recent Zionist Congress in Jersualem would have discovered that delegates from all parts of the world were far from giving blanket approval to Begin's settlement policies. Diaspora Jews were as vocal as Israeli citizens in challenging the government position. Almost half the Zionists present—including a large representation of Americans drawn from such various Zionist parties in the United States as Hadassah and Arzah (reform rabbis) as well as Labor and Mapam—supported a

*Marie Syrkin* was editor of the Herzl Press and has written extensively on Zionism.



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demand for a settlement policy that would preserve "the Jewish and democratic character" of the state and take the peace negotiations into account. This meant that a large sector of organized American Jewry went publicly on record against the incorporation of the West Bank with its million Arabs into the Jewish state, and in favor of territorial compromises for the sake of peace.

It should be noted that the months since Labor's defeat in the Israeli elections have proven instructive. At first even some liberal Zionists, normally opposed to the Rightist Likud, tended to view the change of governments as therapeutic. Disenchanted with Labor's long tenure and recent demerits, many hailed change itself as a positive achievement. Begin's social and political views were well-known, but comfort was sought in contradictory truisms: a strong leader can afford to be yielding; while pseudo-doves flutter helplessly, an unequivocal hawk will make adversaries talk turkey; a fresh broom sweeps clean; give a man a chance. In a climate skeptical of all professions of faith, public opinion found it hard to take Begin at his word or to respect him for what he was: an individual with simple, stubborn beliefs and a fanatical readiness for their execution. Integrity was mistaken for opportunism—so creating a situation baffling to the *real-politikers*. The brief warmth created by Sadat's visit also impelled a suspension of disbelief; perhaps the unlikely Begin would net the peace that had eluded Ben-Gurion and Golda Meir.

By now the warm mist has dissipated enough for American Zionists to report what they see. Whether Sadat will accept any proposal short of total withdrawal is questionable. But if there is to be any hope for peace, then Begin's fixation on the sacred historic right of the Jewish people to Judea and Samaria, the biblical names for the West Bank, should be removed. Paradoxically, Begin is much readier for territorial concessions in other areas. All previous Israeli peace plans stressed the need for security zones in unpopulated or barely populated border regions.

To blur his tough image, Begin has tried to create the impression that his settlement policy was merely a continuation of that of the former government: he was straightforwardly enacting what the Labor government had deviously planned with a bit of dovish camouflage. This is hardly accurate. Moshe Dayan, who was Minister of Defense in Mrs. Meir's government and surprisingly emerged as Begin's foreign minister, has plainly stated the difference: "For ten years, between 1967 and 1977, the government of Israel was committed to territorial concessions in return for genuine peace and this implied redivision of the area. Now our view is that redivision is not the answer." Here is certainly an authoritative assessment of a difference in ultimate goals. A resolution passed by the Labor Government on July 21, 1974 underlines the distinction: "The peace will be founded on the existence of two independent states—Israel with united Jerusalem as its capital, and a Jordanian-Palestinian Arab state east of Israel, within borders to be determined between Israel and Jordan." Granted the terminology is vague. An Arab state "east" of Israel allows considerable latitude for negotiation. But while excluding a PLO state, the wording concedes substantial withdrawal from the West Bank, possibly along the lines of the Allon Plan, which called for Israeli withdrawal from heavily populated areas while retaining military supervision of strategic points along the Jordan. At any rate this program is a far cry from the current insistence on Judea and Samaria as an unalienable part of the Jewish national heritage.

The irritating sophistry of Begin's dictum that Resolution 242 does not apply to the West Bank represents another sharp divergence from previous Israeli interpretations of this much debated resolution. Despite the deliberate omission of the crucial *the*—the resolution calls for Israeli withdrawal from occupied territories, not from *the* territories—the Labor government never pretended that its interpretation completely excluded the West Bank. But here again complications appear. Once Resolution 242 becomes an issue, its other features should be stressed—such as the assurance of "secure and recognized borders." It also should be noted that the resolution calls for a "just settlement of the refugee problem," with no mention of Palestinians or a Palestinian state. On these grounds it is rejected by the PLO. The phrasing of the resolution reminds us that as recently as 1967, when the Security Council adopted the resolution, its members failed to specify Palestinians, not out of regard for Israeli wishes but because there were no Palestinians to mention. The 1967 debate centered on the Arab refugee problem. There were 600,000 refugees (and their descendants) who had joined the exodus from Israel in the wake of the Arab attack on the new state in 1948. How the Arab states systematically prevented the absorption of the refugees so as to turn their plight into the "dynamite" with which to destroy Israel is an old story. Arab leaders originally opposed the establishment of a Jewish state in the Middle East on the grounds that there was no such country as Palestine. In 1956 Ahmed Shukairy, subsequently head of the PLO, declared to the UN Security Council, "It is common knowledge that Palestine is nothing but southern Syria." But then, in a further refinement of their strategy, these same leaders transformed the refugee problem into one of a newly hatched Palestinian nationalism. The strategic nature of this move in an era of emergent nationalisms in no way detracts from the present military reality of the passions so fomented, but it does suggest that Israel's refusal to countenance a PLO state on its borders does not arise from an unimaginative disregard of the national longings of a disinherited people.

Still another aspect of the Begin settlement policy gives cause for concern. Spokesmen of the kibbutz



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movement have charged that because of Begin's infatuation with Greater Israel, funds and manpower are being diverted for settlements in Judea and Samaria in preference to establishing new agricultural settlements within Israel in Galilee, the Negev or the Dead Sea region. In Galilee, for example, there has been a dramatic increase in Arab population due to a high birth rate, and simultaneous Jewish drift toward the towns. To preserve the original Zionist vision of a cooperative society built by Jewish labor, pioneering idealism should be expended on new kibbutzim in Galilee or the Negev. Yet Musa Harif, secretary of the largest kibbutz federation in the country, has charged that Minister of Agriculture Sharon discriminates against cooperative settlements inside the "Green Line" (the pre-1967 borders) in favor of those being established in the occupied territories.

Quite apart from the folly of jeopardizing fragile peace negotiations by the demonstrative establishment of new settlements during a sensitive period, this change in priorities poses a threat to the character of Israel. Because the Israeli Arabs are multiplying much faster than Israeli Jews, demographic projections envisage the possibility of Jews becoming a minority in vital parts of the small Jewish state. The settlement policy of the Likud party seems bent on increasing this risk. The precarious demographic balance should be rectified through emphasis on underpopulated areas within Israel. And there is an ethical consideration as well. The redemption of the Jewish homeland through the toil of Jewish workers has been a central tenet of Zionism since earliest pioneering days. Under present circumstances I doubt whether a large reservoir of Arab labor from the Gaza Strip and the West Bank has been an unmixed boon for Israel, whatever the economic advantages enjoyed by the Arab workers. A greater dependence on Arab labor lessens the participation of Jewish labor in all phases of national reconstruction. This is a treacherous argument. Reluctance to employ Arab labor will be damned as Jewish exclusiveness (I am not referring to Israeli Arabs); hiring non-Israeli Arabs, on the other hand, even at the same wage rates as Jewish labor, is strictured as colonial exploitation. If the West Bank were to become part of Israel, no equitable controls could be devised to prevent participation of its population in the Israeli work force or against the temptation of the Jewish sector to depend upon it. Such a development, like a demographic shift, would fundamentally compromise the moral assumptions of the Jewish state.

That the Begin government challenges these assumptions is no accident of personality. Begin, a disciple of Jabotinski, founder of the rightist Zionist revisionists, has not wavered in his allegiance to the original doctrine, though he has become more circumspect in expressing it. Now that he's in the saddle, both the policies Begin advocates and his *modus operandi* reflect, less flamboyantly than in the past, the fundamental revisionist credo. From the outset, revisionism was characterized by an enchantment with maximalist slogans, dramatic gestures and an amazing disregard for the realistic consequences of what they advocated. When Great Britain began whittling away at the substance of the mandate, revisionist response was to clamor for "a Jewish state on both sides of the Jordan." In 1930, the revisionist leadership soberly proposed a "pause" in settlement and in the raising of Zionist funds. The "pause"—which would have meant the voluntary demise of Zionism—presumably was supposed to force an intimidated Great Britain to capitulate. This naive faith in the magic properties of declamation and demonstrations was viewed by its proponents as *political* Zionism, in contrast to the less spectacular day-by-day work of purchasing and reclaiming tracts of barren land. The revisionist record is studded with such self-deluding proposals offered in fulfillment of what Jabotinski described as the greatest principle of political struggle: "Never take no for an answer."

But the differences between labor Zionism and revisionism never were merely tactical; they sprang from antithetical ideologies. Socialist pioneers came to Palestine inspired by the dream of creating a cooperative society through peaceful settlement. Revisionism fought the concept of a worker society and the "gradualism" of the settlers. Proclaiming themselves as nationalists opposed to "the class struggle while a state is being built" and to costly "utopian experiments," revisionists set themselves the task of "breaking" organized labor. In a notorious 1932 article, Jabotinski magniloquently sanctioned strike-breaking. "I removed the stigma attached to the expression 'strike-breaking' in Palestine." His followers did their utmost to destroy the developing labor movement, and their failure did not diminish their zeal. Yet *kibbush ha-avodah*—the determination that Jewish labor should build the Jewish homeland, so that no charge that Jewish independence had been achieved by proxy could ever be raised—was one of the sanctities of pioneer Palestine. Also, the settlers as socialists believed that the peaceful reclamation of uninhabited marsh and desert within the area designated as the Jewish homeland constituted an even firmer moral title than international agreements. They proved to be right, for the eventual partition resolution, though further reducing the scope of the already amputated Jewish state, by and large followed the area of actual Jewish settlement. But in the critical pre-state period, revisionists made no secret of their disdain for "practical" work. Of 231 agricultural settlements established by various Zionist groups before the state, only one was revisionist. While unmartial farmers plowed fields in Palestine, revisionist youth groups strutted in uniforms and military regalia in Poland.

On the question of resistance, too, there was a wide



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cleavage between the authorities of the *Yishuv*, the Jewish community of Palestine, and the revisionists. During Arab attacks on the settlements in the 1930s, the *Haganah*, the peoples army largely recruited from the kibbutzim, adopted the policy of *havlagah* (self-restraint). This called for self-defense but not indiscriminatory reprisal. a policy adopted on moral grounds and in the stubborn hope of peaceful coexistence. Naturally the *Irgun*, the smaller underground of the revisionists, excoriated *havlagah* as pusillanimous. In the 1940s, during the struggle against the British, the ideological clash between the *Haganah* and the *Irgun* intensified. The *Haganah* opposed wanton terror. Its military encounters with the British specifically involved attempts to bring in "illegal" refugees from the Nazis, and to establish new settlements on land purchased by the Jewish national fund. Again the reasons for this course were ethical as well as tactical.

The metamorphosis of the romantic enthusiasts of *havlagah* into a formidable Israeli army is one of the ironies of history, resulting from the invasion of Israel by the Arab states. On the other hand, after the creation of the state, the revisionist *Herut* as a party in opposition became more temperate. But since Begin has come to power, it is obvious that the original intoxication with maximalist rhetoric remains. So does the ideological antagonism to organized labor and the kibbutzim. So does the readiness to indulge in provocative acts—such as General Sharon's new outposts in the Sinai, just approved by Begin and his cabinet.

In Israel, opposition to Begin, at first muted, is becoming louder. Labor spokesmen, long disciplined by the responsibility of power, uneasy in the unaccustomed role of loyal opposition, showed themselves less forthright and challenging than anticipated, though Allon and Eban voiced criticism. Now the reluctance is ending. In a debate in the Knesset on Begin's policy, Shimon Peres focused on the sticking point: "Without a readiness to compromise on Judea and Samaria there will be no peace." Opposition is likely to intensify. Recent demonstrations by army veterans, rallying to the slogan, "peace is more important than Greater Israel," testify to this.

At the same time a caveat is in order. Sentiment in Israel is for reasonable compromise, not suicidal retreat. Few would favor total withdrawal to the vulnerable 1967 borders which invited Arab aggression in the past. The same applies for those American Zionists who distrust Begin's course. Any attempt by the Carter administration to sacrifice Israel to oil and petrobillions would swiftly rally the "establishment" around the government of Israel.

This means that distinctions must be drawn between border settlements in Sinai and the Golan Heights, and those on the populated West Bank. It is hard to oppose settlements in the Rafia sector—a strip along the Mediterranean in the Sinai—developed by the Labor government as a buffer zone on the classic invasion route along which Egyptian armies have periodically marched to attack Israel. The fortified ridge of the Golan Heights also presents an acute security problem. Until its capture in 1967, this series of military bunkers was used by the Syrians exclusively for the shelling of kibbutzim directly below. The kibbutzim understandably decline again to be sitting ducks for Syrian artillery. After the town of Kuneitra was returned to Syria, the problem became one of sparsely inhabited territory whose primary function was to facilitate Syrian harassment of cooperative settlements in Galilee. Meaningful peace negotiations can no more ignore the experience of 1948, 1967 and 1973 than they can ignore the existence of an Arab population on the West Bank. No mechanical formula asserting the righteousness of total withdrawal makes sense either politically or morally. Begin can bolster his romantic assertion of divine right to Judea and Samaria with cold secular documentation of a legal claim on the grounds that the West Bank was originally designated as part of the Jewish homeland by the terms of the Balfour Declaration and the Mandate. But such claims turn hollow in the light of present demographic realities. So do Arab demands for sovereignty over every grain of Sinai sand and every Golan stone. History more recent than the era of Biblical glory imposes its lessons on Arab as well as Jew.

Zionists who oppose Begin do so for both pragmatic and high-minded reasons. Concern for the rectitude as well as viability of Israel is integral to Zionism. Nevertheless, the world's insistence on judging the Jewish state by criteria applied to no other country adds a disturbing rather than flattering complication. Millions of refugees, sheltered in no UNRA housing among sympathetic brethern, still wander over Asia and Africa. Soviet Russia, spearhead of the anti-Israel coalition, displays no qualms about its swallowing of large slices of conquered Eastern Europe. Fratricidal and tribal wars rend the Third World. Yet if a visitor from Mars were to wander into the United Nations or scan the world press, he would learn little about Cambodia, Uganda, Bangladesh, Biafra or Czechoslovakia—to mention a few relevant spots. On the basis of the exhortations and vituperation of which Israel is the object, he might well conclude that a mighty empire, Israel, seemed to be the source of most earthly ills. How else could he account for a terrorist internationale of Japanese, Cubans and Germans, armed by Communists, financed by oil potentates and dedicated to the eradication of this "cancer of humanity"? Is it paranoia to interpret this concentration on the tiny Jewish state and its three million Jews as the massive rallying of anti-Semitism in modern guise? At any rate, when the terms of a viable peace are finally hammered out, Israel should be spared the dubious compliment of alone being required to serve as the world's conscience.



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# Arts and Lives

## Stanley Kauffmann on theater

### Truth and Inconsequences

*Runaways* (Martinson Cabaret). This is the moment to praise Elizabeth Swados. Her new show is not as good as the previous one but it attests to her uniqueness just as strongly, and one feels the impulse, as one often does with admirable artists, to love her just a bit more when she takes a worthwhile chance and stumbles.

Swados's last production was *Nightclub Cantata* (*TNR*, Feb. 5, '77), a set of 20 pieces mostly written by others that she set to music—piano, percussion, and her own guitar—and staged with eight performers in a large corner of the Village Gate. It was a generally wonderful evening, composed of old-fashioned (that is, 1960s') "communal" feeling fixed with performance discipline and theater invention. *Runaways*, done on a conventional stage in Joseph Papp's building before an auditorium that has been converted into a cabaret, has 19 performers and 41 numbers. The cast is young since the theme is runaway children. I recognized only two performers from *Cantata*: Karen Evans, a strikingly gifted black girl and David Schechter, strikingly ungifted but so ecstatically committed to what he's doing that he becomes touching. And there is Judith Fleisher again at the piano, Swados herself playing offstage, and four other musicians, including two devoted to that Swados necessity, complex percussion.

*Runaways* is less good than *Cantata* not because it's bigger: Swados has no splashy ambitions. First, most of the words are her own this time, and they are just not as good as those of the many poets she used last time. But she had to write her own words because she's dealing with one theme—runaway children—and that leads to the second defect: the narrowness of the theme. I'm obviously not talking about the social problem but about Swados's show when I say that two and a half hours about the fate of today's runaway kids, white, black, Hispanic—the street life, the drugs, the prostitution, the kinds of home problems that drove them out in the first place—simply get repetitious. At any rate Swados and her friends have not found enough different ways to deal with these subjects to keep us from wondering why the performers don't, in effect, hear themselves repeating.

This is particularly true since Swados's method of composition, as is well-known, is not with tunes in any conventional sense but through a kind of theater-music that attempts to render speech in rhythms and pitch and tempi that enlarge the words with minimal concession to melody.

One wry result is that the two best pieces are spoken, not sung. Near the end (it ought to have *been* the end) Karen Evans speaks an impressive piece called "To the Dead of Family Wars." And in the first act there's another spoken piece, done by young Jon Matthews, called "Current Events"—a rushed insane litany of what's happening in the world, with the impassioned refrain. "Please don't flunk me, please don't flunk me" as if he were reciting in a high school class. Matthews pours out at breakneck speed all the madnesses in the newspapers, from the murders in the street to the terror of wars to the fact that prostitution is on the increase just outside Disneyland; and all through this frantic flood of human misery and mayhem, he keeps pleading "Please don't flunk me." I'm not expecting to forget "Current Events" very soon.

And there's a song in the second act called "Where Are Those People Who Did 'Hair'?" No comment necessary. But one irony will be lost when *Runaways* moves to Broadway, as it will next month. This present building is the very one in which *Hair* started 11 years ago. (Will there be a show 11 years from now with a song called "Where Are Those People Who Did Runaways'?")

But that move to Broadway will lessen a different irony. All this talk and song about starving street kids takes place before a cabaret audience at tables laden with huge salads and pita-bread sandwiches and gorgeous desserts topped with whipped cream. Talk about Brecht's "culinary theater!"

Well, Brecht himself performed in cabarets, of course, and the real trouble with *Runaways* is deeper than this irony—it's tied to the repetitiousness, to the lack of awareness about it. The show has bathos below the pathos. The show begins to think of itself as heroic. Everyone takes on a slight air of valor, as if he were engaged in a struggle instead of representing it and, like many people in trouble, they go on about it too long. (This confusion of self with subject is, again, un-Brechtian, by the way; and again is typical of the people I met who were in *Hair*.)

Nevertheless, and to my mind indisputably, Swados is a contemporary marvel. Her instinct for material is quick; her use of it is at the furthest reach from formula; her ability to summon performances—no, *subscription*—from her people is phenomenal; her imagination with simple scenic elements, with lights, asymmetrical movement, variations,

### Films Worth Seeing

*Close Encounters of the Third Kind.* The whole big thing builds to the last 40 minutes—a new Book of Revelation writ with light and sound.

*The Confessions of Winifred Wagner.* Blood-freezing urbanity. A German TV documentary in which Richard Wagner's cultivated daughter-in-law chats of her affection for Hitler.

*The Goodbye Girl.* Neil Simon's best script, for screen *or* stage. Spun along breezily by Richard Dreyfuss and Marsha Mason under Herbert Ross's light hand.

*Saturday Night Fever.* John Travolta. Also the *mores* of juveniles in a city within a metropolis. Also John Travolta.

**SK**



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and rhythms, produces what I can only call command. Of the audience. She supplies novelty without dealing in it. And she summons energy from her group that is completely unrelated to show-biz pizazz.

I feel once again, as I did with *Nightclub Cantata* that—without any intent to dig at Andrei Serban—Swados's contributions to Serban's monumental Greek productions must have been large. Serban himself has said so, and Swados's solo work supports it. This production of *Runaways* is not as good as it might have been with better words, with more stringency, a bit less "weeping *with* it" by Swados herself. Still her unique and fine qualities are more than visible. Swados is a genuine artist making a real contribution to our theater. Strength to her.

And since I have on occasion made a negative comment or two about Joseph Papp, I want to underscore that Swados pointedly thanks him in the program for his support when she went to him with no more than an idea, for his subsidy during 10 months of preparation. It's the same sort of support—not artistic aid—that he gave to *A Chorus Line*, and it should be noted.

*A History of the American Film* (Anta). Wrong title. It ought to be called *A History of American Film Skits*. From the very opening, with its burlesque of Lillian Gish rocking the cradle in *Intolerance*, right through every predictable stereotype of character and situation, right through Cagney and Bogart and *Casablanca* and *Citizen Kane* to the present day, this is an expensively produced rehash of jokes seen earlier and often better. Comden and Green were doing it in *Billion Dollar Baby* in 1945 (and they surely weren't the first), and it's been going on pretty steadily since then, particularly on TV. Sid Caesar, Red Skelton, Lucille Ball, Carol Burnett are only the first names that come to mind. Christopher Durang, the author of this highly-heralded show, and his composer Mel Marvin, have nothing to add—except a tenuous fantastic story to try to link the skits together.

To be clear: it's not satire on Hollywood life, like *Once in a Lifetime*. It's burlesque of things that Hollywood has implanted in the world's store of images, Busby Berkeley numbers, patriotic numbers, religious numbers, and so on. Satire is the first infirmity of youthful minds. Irreverence is one of the most precious gifts that new writers can give us, but imitative irreverence is pretty depressing.

April Shawhan does well enough as the heroine who goes from braids to bra-less, Bryan Clark is sharp in a variety of character roles, Gary Bayer lacks force in a variety of heroes. Swoosie Kurtz is turning from the promising actress she was only a few years ago into a one-woman wisecrack business. I'm afraid we're watching another Elaine Stritch in the making. The director, David Chambers, threw a lot of bustle into the enterprise, but then there wasn't much else to throw in. The program credits the "sound design" to Lou Shapiro. I assume that Shapiro is hard of hearing and has pitched the amplification of every smallest line to help those similarly afflicted.

# Books Considered

## Chateaubriand, A Biography Vol. I (1768-1793): The Longed-For Tempests by George D. Painter

(Knopf; $12.95)

"You have seen me being born; you have seen my childhood, the idolatry of my singular creation in the Chateau of Combourg, my presentation at (the court of) Versailles, my presence at the first scenes of the Revolution. In the new world I meet Washington; I plunge into the woods; a shipwreck brings me back to the shores of my Brittany. Then come my sufferings as a soldier, my misery as an émigré. Back in France I then become the author of the *Génie du Christianisme*. In a society transformed, I have and lose friends. Bonaparte stops me and throws himself, with the bloody corpse of the duc d'Enghien, across my path; I stop in turn, and lead the great man from his cradle, in Corsica, to his tomb in Saint-Hélène. I participate in the Restauration and watch its end." So, as he neared the age of 80, François-René de Chateaubriand summarized in one paragraph the 2000-odd pages of the *Memoirs* he had begun to write some 40 years earlier. This first volume of a projected three-volume biography follows, or, as Chateaubriand might say, "leads" him from the birth in a howling storm which he himself so dramatically discusses (a prefiguration of the storms to come) through his disastrous participation in the lost royalist cause as a soldier in the ill-equipped, poorly disciplined "émigré" army. The book ends as the 24-year-old Chateaubriand embarks from the island of Jersey, en route to "misery" in London as the Reign of Terror dawns in Paris. In those years the young Breton aristocrat had witnessed the collapse of a still feudal world, his world; and lived the life of violent contrasts he set out to recreate in his *Memoirs*.

Biographers to date have not done well by Chateaubriand, deterred perhaps by the mingling of fictional and autobiographical narrative, lyrical in essence, that characterizes his writing, making facts difficult to determine. But they may have been deterred too, perhaps, by the singularity of a life lying athwart two epochs—the end of the reign of Louis XVI, the France that emerged from the Revolution—and seemingly congruent with neither. A towering figure, who as a writer, dominates the period, a "prince of dreams" who furnished the attitudes and language of a vast progeny of French Romantics, he has always seemed as singularly out of place in French literature as in French society—displaced. The cultural climate of France after the mid-19th century was out of sympathy with the temper and sensibility of the Breton aristocrat, the Father to be sure of the Romantics, but the heir too of the enthusiasms of the "philosophers." It has long been fashionable to approach the *Memoirs*—more particularly their account of the young François-René's voyage in America—somewhat ironically as open to much debunking: Chateaubriand, as



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his somewhat acidulous critic, though admirer, Sainte-Beuve had suggested was an egotist and a myth-maker. As far as the journey to America—central to this volume—is concerned, it was generally accepted that the itinerary he described was in large part imaginary.

George Painter has taken a different stance. For years now, from the time he finished his biography of Marcel Proust, Chateaubriand has lived in his imagination. He prefers to rely on Chateaubriand's testimony rather than on that of his critics. And he had at his disposal better editions of the basic texts, the *Essay on Revolutions*, the *Memoirs*, the *Voyage en Amerique* and the vast correspondence now becoming available. His hypothesis is that Chateaubriand's narrative is basically truthful and he has collected a vast amount of documentation to prove it so. He establishes the fact that the itinerary described is quite plausible: three thousand and some miles of a vast circle that took Chateaubriand from Philadelphia to Niagara to Pittsburgh to Nashville and back via coach, sloop, and horseback, covered in less than a hundred days. In so doing Painter draws up in meticulous detail the land and river routes in use at the time, drawing on many sources, which he fuses with Chateaubriand's narrative.

Viscomte François René de Chateaubriand — Courtesy of the Granger Collection

One of the advantages of the method which he applies from the very beginning when describing Chateaubriand's birth, is that the reader gets a sense of the specificity and intricacy of the world in which Chateaubriand was involved. One of the dangers is that fact and fiction become inextricably intertwined: "It is conceivable that . . . it would not be surprising if . . . François-René doubtless heard of all this, but saw nothing. . . ." Such warning signals pepper a text which extrapolates generously from the *Memoirs*. Mr. Painter's reconstruction then could draw the same kind of criticism as was levelled at his Proust. But along the way he has integrated many passages of Chateaubriand's *Memoirs* into his own text. Since, to my knowledge, there is no good recent English translation available, the richness and lyricism of Chateaubriand's writing are conveyed. Painter's own deeply sympathetic commitment to his subject often adds humor or poignancy to the scenes described. Most amusing, for instance, are the great plans established by the 20-year-old Chateaubriand—Candide, aided and abetted by his mentor and relative—the wise philosopher Malesherbes; they involve nothing less than the plan to "be the first man to cross the North American continent, the first to trace the untrodden Pacific coast, and the first to discover the Northwest Passage from Pacific to Atlantic." All this alone, of course, though with the help of the "noble


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savages" of his dreams. Even though the Ohio River is a far cry from the Pacific and Nashville from the Arctic Circle, Chateaubriand's foray into the "primeval forests" of North America was enough to pervade his sensibility and shape the vision that dominated his writing.

One looks forward to the next two volumes. In the meantime *The Longed-For Tempests* would make an excellent film.

**Germaine Brée**

*Germaine Brée* is Kenan Professor of the Humanities at Wake Forest University.

## On Press
## by Tom Wicker

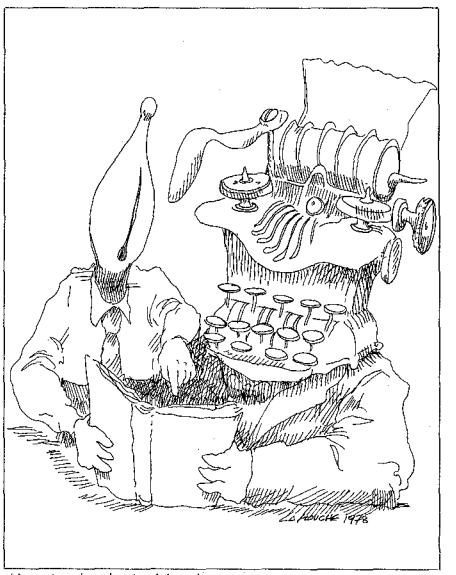
(Viking; $10)

Among those who seem most impressed with the recently reasserted "power of the press" are the members of the news media themselves. Having triumphed over foes such as Spiro Agnew and having been touched by the Hollywood glamor of Redford-Hoffman and Barbara Walters, the press sees itself at the pinnacle of popular prestige and power. Journalism schools are jammed with aspiring defenders of the public seal. Newsrooms house cadres of reporter-sleuths ever alert for the public injustice that can be revealed in banner headlines. An orgy of self-congratulation has continued virtually unabated since Watergate.

Somewhere "out there" in the nation's hinterlands, however, the reading-listening-viewing public remains less convinced of the press's infallibility or rectitude. At the outset of his exegesis on the role of the press, Tom Wicker recalls his rude awakening, while covering the 1964 Republican National Convention, to the fact of being "hated and feared by millions of Americans." Although the passions of the Cow Palace in 1964 may have ebbed in the years since, the residual potential for distrust of the news media remains.

Cognizant of this now dormant hostility, Wicker has constructed a defense of the role of the press. It is a curious effort, acknowledging but never embracing either the power or the responsibility he describes as essential elements of news media operations.

Wicker subscribes to the theory that the press is a "fourth branch of government." His interpretation of the First Amendment is that the press has a constitutional obligation "to act as a check on and a balance against the power of government and other institutions." Wicker catalogs the many pitfalls awaiting the press as it seeks to carry out this broad mandate. There are the



Drawing by the La Mouche

limitations of an "objective journalism" that impede reportorial boldness. There is the tendency of the press to "cooperate in its own deception" because of its lack of skepticism about matters such as the shenanigans of the FBI and CIA. There are problems of "dailiness"; the unrelentingly ferocious pace of events deters sensible analysis of the news. There is the temptation to adopt an ill-conceived adversary role that emphasizes "opposition for opposition's sake."

The list goes on, comprising an impressive mea culpa. What are lacking are some substantive recommendations about how these problems might be resolved. Wicker provides only one-dimensional responses to multi-dimensional questions.

The true nature of press power is not easily defined. As a *New York Times* columnist, Wicker possesses de facto power greater than that of most of the elected officials in the country. He reaches more people on a more regular basis than virtually any politician outside the White House. Wicker contends that the press "mirrors rather well the character of the American community." But it may be that the American community at times merely mirrors the press. The syndicated columnists and network commentators are looked to by a vast audience for assistance in making some sense of the unceasing and often jumbled flow of information provided by ubiquitous electronic and print media. Like it or not, these newspeople often are assigned by the public to the roles of arbiters who provide judgments on the significance and merits of a wide range of events and personalities. This is a long way from straightforward reporting.

The press does seem to be increasingly aware of the complexity of its role. Its response has been to emphasize ongoing self-examination and to impose the self-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discipline necessary to ensure accountability. The institutionalization of such measures is no easy task. It requires a newspaper, for example, to develop mechanisms that are concerned with matters other than basic reporting of the news. Quality control includes utilization of in-house ombudsmen and the imposition of rigorous standards of editorial judgment that ensure some degree of consistency in the nature and scope of news coverage.

While alluding to these matters, Wicker never really grapples with them. He seems unnecessarily defensive and shuns specificity. Championing the press's adversary role, he calls for "less inhibition, not more restraint," but comments only generally about how the uninhibited approach and public demands for press responsibility may be made compatible.

The nature of the press is inherently amorphous. As Walter Lippmann noted: "The press is no substitute for institutions. It is like a beam of a searchlight that moves restlessly about, bringing one episode and then another out of darkness into vision." This characteristic of the press is at the root of the challenge to the people in the news business who seek to define the nature of the beast with which they must contend.

Perhaps a more appropriate title for this book would have been, *On Wicker*. This is as much a memoir—replete with Dan Rather-like bubbling—as it is an analysis of the state of the press in America. Important questions are raised in this volume; answers will have to be suggested by others.

**Philip M. Seib**

*Philip M. Seib*, a Dallas attorney and writer, teaches political science at Southern Methodist University.

## Feminist Frameworks edited by Alison M. Jaggar and Paula Rothenberg Struhl

(McGraw-Hill; $8.95)

The introduction of academic work concerning the issues associated with Feminism into the liberal arts curriculum appears to be well along at a number of colleges and universities at this time. The process of introduction can be painful and time-consuming, of course, and these days it is perhaps especially a battle given the unfortunate financial straits of so many of our institutions of higher education. Anyhow, many schools now at least have "Women's Studies" courses, or parts of courses, scattered through a variety of departments and often without apparent connections to each other. Some ambitious schools even have small programs featuring related courses and looking rather like aspiring departments. But such developments do not reflect uniformity of opinion in the educational community regarding how far the issues of Feminism should count as creditworthy academic subject-matter. Some policy-makers continue to question the "legitimacy" of the subject itself, which seems odd given the traditional place in the liberal arts program of creditworthy studies of oppression in its various manifestations.

What political significance is to be attached to the appearance of Women's Studies courses on campuses is unclear. The Feminist movement itself is internally messy: it is more a collection of groups with different immediate causes than a cohesive political organization. In any case the college courses, so far as I have become acquainted with them, are hardly conspiratorial laboratories for political action. Still, they customarily start from the proposition that women, as a class, type or kind of human being, have historically occupied a subordinate position (if even that) in most important areas of social life (*e.g.*, in politics, the economic system, and, indeed, education itself), plus the normative premise that there is something wrong with that state of affairs. So the ensuing course work is heavily valuational: it deals with questions of justice, equality, rights and freedom. Whatever may be the initial motivations of the students and faculty involved, there is much potential in these courses for what used to be called consciousness-raising.

But what goes on in Women's Studies courses? What, for example, is read? In fact, books for course adoption are now crossing the desks of professors in philosophy, sociology, history, politics, and the various literatures in increasing numbers, and these books, for better or worse, will play a role in shaping the opinions about sexism which students (and faculty) develop in the years ahead. The power of classroom texts in organizing areas of study, and hence in molding opinion, is considerable, I think, even though how it might be measured relative to other factors is not clear. Roughly speaking, the current books about Feminism are of two kinds. There are collections in which historically influential views about the nature and status of women are exhibited; and there are collections in which "stands" on today's Feminist issues are presented. Two new books of the former sort are those edited by Rosemary Agonito (*History of Ideas on Woman*, G.P. Putnam's Sons [Capricorn Books], 1977) and March Briody Mahowald (*Philosophy of Woman*, Hackett Publishing Co., 1978). These are sizeable collections, with overlapping contents, offering selections from main philosophical figures such as Plato, Aristotle, Augustine, Aquinas, Kant, John Stuart Mill, Mary Wollstonecraft, Nietzsche, and some contemporary writers, plus very brief commentary (and, in the case of the Mahowald book, useful discussion questions).

Such historical collections are non-polemical and will probably do well in the classroom market, for they can support a variety of kinds of Women's

"EXPECT to hear more about 'giveback'. It was an element in the coal strike, it's a battleground in steel, publishing, and on and on. Undoubtedly it'll be in the next Random House dictionary: **give·back** (giv'bak), n. **1.** any demand that unions accept reduced benefits, or work harder, or both. **2.** any pitiable shudder during an organism's death throes."

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Studies courses. A new "issues" collection, titled *Feminist Frameworks*, is different and, in my view, more interesting. It assembles a large variety of popular and academic writings under a set of *types* of views—"frameworks," as they are called by editors Alison M. Jaggar and Paula Rothenberg Struhl—about the nature of sexism. And these types of views provide a basis for an editorial commentary that has enough of an edge to it to pose a useful challenge to serious readers about deep moral issues raised by Feminism.

Beyond introductory pieces meant to "show how contemporary social arrangements for organizing various aspects of our lives fail," and thus to demonstrate "the need for women's and men's liberation," Jaggar and Struhl present writings which illustrate five possible feminist frameworks. What is a "feminist framework"? Well, it is an ideology which simultaneously "offers a *de*scription of women's oppression and a *pre*scription for eliminating it." Any such ideology is said to be "empirical insofar as it examines women's experience in the world; but . . . normative insofar as it characterizes certain features of that experience as oppressive and offers a new vision of justice and freedom for women." The five selected frameworks are Conservatism, Liberalism, Traditional Marxism, Radical Feminism, and Socialist Feminism. And the editors make clear throughout their commentary, without being pushy about it—though also without systematically arguing for it—that in their view the most adequate of these frameworks is Socialist Feminism. By the latter they mean a view which "reestablishes the classical Marxist connection between class society and sexism but denies the contention that sexism is the less fundamental." This approach to the facts of subordination and oppression argues that "women will not be able freely to determine the conditions of our own lives without the elimination both of class society and of the institution of gender."

The several frameworks are illustrated with the writings of, among others, Freud and Steven Goldberg (for the Conservatives), John Stuart Mill (for the Liberals), and Engels, Shulamith Firestone, and Galye Rubin (for, respectively, the Traditional Marxists, the Radical Feminists, and the Socialist Feminists). The book then moves to selections marking the "implications" of these general ideologies in three topical areas, namely, Work, Family and Sexuality. Every major section of the book ends with a short list of suggested further readings.

While *Feminist Frameworks* is attractive in its editorial approach, and its contents are for the most part interesting in their own right, my own view of how contemporary moral issues are best illuminated suggests that this volume contains too few historical materials for its purposes of comparison and contrast among ideologies. Mill, Freud, and Engels are represented, but that is hardly enough to give anyone a sense of the depth of background that exists for the current polemics. Further, while Work, Family, and Sexuality are obvious and important areas in which to explore the implications of the frameworks, there are many other issues now associated with Feminism—among them problems of preferential treatment, the reform of education, the character of liberation itself, and the conditions of self-respect—and the editors could have been more helpful in organizing this apparent *mélange* for their readers.


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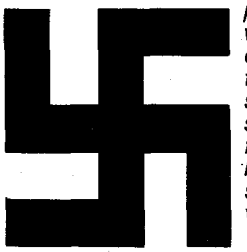

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The volume is filled chiefly with contemporary pieces, many drawn from political sources (magazines and organizations) known for their leanings on issues. There is no objection to such materials by themselves. But the assemblage of them in this case yields a series of "position papers" more than a review of writings which speak to each other through analysis of verbally shared concepts and criticism of botched arguments. It is the latter project which the editors wish to further: "We should like our book to encourage and facilitate the critical evaluation of the presuppositions and implications of the competing feminist frameworks and hence to contribute to the construction of a fully adequate theory." In the end students in the classroom are likely to glean from this volume a picture of the Feminist movement as rather a hodgepodge of conflicting interpretations of social fact leading to different recommendations for social change. The impression that remains is of protagonists talking "at," rather than "with" or even "to," each other. Perhaps the disinterested quiet of the classroom, with the resources of this volume, will generate the critical adjudication and refinement of argument missing among the antagonists.

**Norman S. Care**

*Norman S. Care* is professor of philosophy at Oberlin College.

## Books and Portraits by Virginia Woolf

(Harcourt Brace Jovanovich; $10)

Measuring the Bloomsbury rage by the big literary fads of the immediate past—the Fitzgerald, the Hemingway, the Henry James—a book such as this one might be the signal that Virginia Woolf has peaked. We've had the big biography, the diaries, the letters, Leonard's memoirs, some depictions of Virginia's relationships. There was a book largely derived from the journals of Bloomsbury aunts. And now, a paste-up of book reviews and literary sketches that go back to when Virginia Woolf was Virginia Stephen. The thin edge, surely. What's left but laundry lists and notes to the cook?

The answer is: plenty. She was who she was, and the least of her writings have the crystal ring. Most of the pieces in this collection are not only the work of an under-30, but journalism, turned out at the rate of one or two a week while the novels were also under way. Yet they resonate. They show that, from the beginning, this woman could write a sinuous prose and express a mature perspective on literature, civilization and the mysterious ways of personality.

More important, they show that her outlook has not dated. Or, rather, they show that where her outlook was anchored in historical circumstance, she was so far ahead of the rest of the pack that most people are still catching up.

Considering her zest for every purr and shiver raw experience could elicit from extraordinarily keen perceptions, it's easy to say that Virginia Woolf had a timeless sensibility. But her sensibility was joined to a weighing and balancing mind—a mind aware of itself in a place and a period, in touch with the past and thus prescient about much that was to come.

Partly, of course, she owed the vitality of her judgment about people and the world to the books she read; there were a lot of them and they were good ones. What was probably more important, though, was that she was so much on her own with what she read. Her reactions were never domesticated by school or by too much belonging. She was, after all, a woman.

Which is to say that, growing up in a well-off, sophisticated English family around the turn of the century, she was not sent to a university as her brothers were. Whatever she got of the Oxbridge patina, she got second-hand. It was never open to her to develop her consciousness through the give and take of intellectual intimacies within a comfortably closed elite. She had to make do with the upstart's sharpness about how the system worked and the outsider's appreciation of what the prizes were and were not worth. The sort of thing that made Shakespeare so discerning about the psychology of kings and queens. Assuming Shakespeare was Shakespeare.

The awarenesses that go with being so near and yet so far from power add a dimension to everything Virginia Woolf wrote. We find this dimension in the way she warms to the intelligence and vigor of such diverse women as Lady Strachey, Lady Holland, Sarah Bernhardt and Queen Elizabeth the First. The Victorian matriarch, the 18th century salon star, the Belle Epoque actress and the Renaissance queen—Virginia Woolf's smooth summations of their memoirs, journals and biographies convey not only admiration for their powers and what they did with them but a vivid sense of what they did not—could not—do, because they were women.

It gives this book a contemporary flavor. It should also prompt a rereading of the two books in which Virginia Woolf distilled almost every point worth making about women's place in society. Whatever feminism is saying these days, Virginia Woolf said it first and said it best in either *A Room of One's Own* (1929) or *Three Guineas* (1938). If it ought to be said at all.

She is the one who gave us the concept of Shakespeare's sister to answer that

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Virginia Woolf by Andras Goldinger

condescending question about where the female geniuses have been all these years. And it does answer it. A girl equivalent of the wild, brilliant boy who ran away to London to be an actor in the 1500s would simply not have been allowed by biology or society to hang around the Globe theater and the Mermaid tavern writing plays. They'd have caught her and married her off to a blacksmith. They'd have forced her into a nunnery. Besides, she'd have been pregnant at 16 and hanged herself.

That was one message of *A Room of One's Own*. In *Three Guineas*, Virginia Woolf gave us the concept of the educated man's sister and the educated man's daughter to dramatize *la difference* in what the same talents and energies and socio-economic circumstances would fetch a man and a woman 300-odd years after Shakespeare's sister hanged herself.

It lays on the line all the obvious things about legal barriers to politics, property and the professions as they were in England just before World War II. How quickly we do forget how recently women were legally barred from the learning, earning and owning that are prerequisites to running things! Baby has had, indeed, a long way to come.

From the beginning, too, Virginia Woolf made it clear that she knew legal rights were the merest tokens of the reality women were reaching for. Nothing could be either simpler or more sophisticated than her presentation of the way education and money and old-boy networks reinforce each other to produce in men not only the rewards of achievement but the capacity to achieve.

Long before Betty Friedan had stopped worrying about the shine on her kitchen floor, Virginia Woolf had noticed the stupefying effect of women's unpaid labor in the home . . . the lack of self-esteem that goes with being dependent on good looks and marriage and men's generosity . . . everything.

Only two things set her apart from the most advanced of today's feminists. She had nothing to say about male tyranny in sexual expression. And she had a lively appreciation of the positive side of women's situation.

The first point is not to be wondered at. In Bloomsbury, open marriage, homosexuality of all kinds and promiscuity were commonplace. As for men doing their share of the housework, she had a husband who saw to it that she was protected from domestic annoyances.

It was perhaps the lingering Victorian in Virginia Woolf's consciousness that kept alive her sense of the value of disadvantage as a discipline. She saw women as the beneficiaries as well as the victims of poverty, chastity, derision and


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freedom from the false loyalties that go with membership in the In group.

She saw men corrupted by the demands of power and the temptation to rationalize anything that serves self-interest. She saw with a more than contemporary clarity that the more absorbing and successful a man's career is, the more it demands from him until he is denied the use of faculties that don't serve the work, denied access to the outside world, and turned into "a cripple in a cave."

Today's feminists sometimes make a version of this point when they talk about the rat race, but generally their observations have a way of degenerating into denunciations of a purely macho competitiveness and of the evils of capitalism. Virginia Woolf was, admittedly, part of an ideological *milieu* more or less committed to socialist explanations and cures for every injustice moral fastidiousness could condemn, and she undoubtedly had a few more utopian illusions about war, greed and human inequality than she would have had if she had been around for the history of the last 25 years. Even so, she comes through as singularly honest and realistic about the price of desiderata idealists would like to think of as free if only "the system" could be put right.

The arts for example, and the graces of civilization. Nothing in *A Room of One's Own* is more appealing than the candor of Virginia Woolf's recognition that for her, or anyone else, man or woman, to be a writer takes leisure, which takes money, which means somebody else doing the dirty work. House servants. Secretaries. She didn't go far in exploring possible connections between brute imperialism and her freedom to spend her time producing and savoring the refinements of cerebration, but one feels it wouldn't have confounded either her morality or her esthetic sense to discover some embarrassing linkages.

It was Virginia Woolf's robustness of spirit that she knew how lucky she was in what she had, and neither whimpered nor invoked sour grapes about what she did not have.

Her lacks were sexual fulfillment and children and mental stability. Much remains to be understood about Virginia Woolf in this area, all of it more subtle than brute issues of patriarchy and women's rights.

Meanwhile, she has illuminations to offer on women's rights. The girl who never got to join the Cambridge Apostles in their discussions of being and not-being understood more about the either/or of life than most people. More, certainly, than many of the women who, since her time, have taken up arms against the feminine handicaps Virginia Woolf so definitively identified and transcended.

**Anne Crutcher**

*Anne Crutcher* is editorial writer for *The Washington Star.*


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## The Eye of the Story by Eudora Welty

(Random House; $10)

When poets and novelists write literary criticism it's usually in order to make the world safe for their art. From this explanation I do not exclude Eudora Welty, provided it's understood that she isn't arguing for the merits of her own fiction, but for the integrity of fiction as a way of understanding our lives. The truth is that she is always a little embarrassed when she is forced to discuss her own work: "I never saw, as reader or writer," she declares forthrightly, "that a finished story stood in need of any more from the author: for better or worse, there the story is." When she writes about writing fiction, therefore, she feels the responsibility to describe her own enjoyment of other writers' fiction and to make certain that the complexity of the literary imagination isn't short-changed.

*The Eye of the Story* is a splendid collection of non-fiction pieces written over the course of almost four decades. There are essays on individual writers—Jane Austen, Henry Green, Katherine Anne Porter, Willa Cather; essays on the arts of reading and writing; there is a fine batch of book reviews; and finally, a number of "personal and occasional pieces."

The most important items, I think, are those which are general in nature, and have to do with reading and writing, which Miss Welty believes is a very privileged kind of collaboration. The best of these is perhaps "Place in Fiction," written 20 years ago, a brilliant inquiry into the esthetic uses of locale in the fictional imagination. No one has a surer grasp of the importance of the imagination as a totality, a palpable and identifiable dimension in our experience of fiction, and no one has more respect for it. In this essay she explores ways in which place can interact, through technique and vision, with the writer's creative imagination to achieve by that



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Eudora Welty

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process the ideal of fictional form.

Yet it is difficult to set even "Place in Fiction" over a gem of critical reading such as "Looking at Short Stories," first published almost 30 years ago. This piece takes up a group of short stories ranging from Crane's "The Bride Comes to Yellow Sky" to Faulkner's "The Bear," and offers some profound commentary on the short story as an esthetic entity, not experience but a shaped commentary on experience made available through style, design, plot, the significance given to events and characters. Of D. H. Lawrence she remarks that he is "writing of human relationships on earth in terms of his own heaven and hell, and on these terms plot and characters are alike sacrificed to something: that which Lawrence passionately believes to transcend both and which is known and found directly through the senses." This is not a comment on the author's psychology or his thematic concerns; it is a comment on the reader's relationship to the form of Lawrence's fiction.

Of Hemingway she notes that the man is, as writer, a moralist; his plots do not reveal, so much as they permit him to comment. "Action can be radiant, but in this writer who has action to burn, it is not. The stories are opaque by reason of his intention, which is to moralize. We are to be taught by Hemingway, who is instructive by method, that the world is dangerous and full of fear, and that there is a way we had better be." So that "as we now see Hemingway's story, not transparent, not radiant, but lit from without the story, from a moral source, we see the light's true nature: it is a spotlight."

There is formal insight and categorizing enough in this essay to furnish the structure for a full-fledged critical system—if, that is, Miss Welty herself were to work out the details. But in the hands of anyone less gifted than she at dealing with complex unities of the literary imagination, such a system probably wouldn't be any more useful than those we now possess, so we'd perhaps best leave her to her own fiction and be grateful for the essay as it now stands.

The obverse side of Miss Welty's impassioned belief in the splendid integrity of the fictional imagination is her notable distrust of those who would reduce it to a mere expression of personality. Thus her severe review of Arthur Mizener's biography of Ford Madox Ford. "The fact is," she says, "Mr. Mizener never makes the essential leap of mind to discover [Ford's *The Good Soldier*] as a complete entity, a world of itself and quite freed of its author." She wants a biographer to discuss a writer's discoveries of technique, not his psychological needs. She doesn't object to the writer's life as such; but she assumes that since what makes the particular person worth biographizing is the artistic achievement, then the artistic works ought not to be considered merely as psychological strategies for


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coping with life. Mizener, she says, "consistently treats the inventions of fiction as Ford's barefaced attempts to get away with something in his personal life by foisting these false versions upon the public." Sound cautionary doctrine, I think, and in this instance especially, very much to the point. But what Miss Welty may forget, I think, is that when you write a novel you place your imagination on public display, and if that imagination is compelling enough, there is no way to prevent readers from becoming intensely curious about the human being whose imagination they have been privileged to share.

The last section of this book is the most delightful, in part for just that reason. The author on the subject of Mississippi and Mississippians, including herself, is permitting us to see, with herself as guide, the time and place from which the art grew. Thus when, in downtown Jackson, we are invited to observe "the café with the fish-sign that says 'If They Don't Bite We Catch 'em Anyhow,'" we recognize very well just who it is that is showing that to us, and we can't very well be blamed, can we, for making the connections? Which is one way—but only one—to account for the pleasure we take in reading this fine collection.

**Louis D. Rubin, Jr.**

*Louis D. Rubin, Jr.*'s new book, *The Wary Fugitives: Four Poets and the South,* is due from the Louisiana State University Press in May.

## Momo
## by Emile Ajar

(Doubleday; $6.95)

I thought I liked kids as much as anyone. I certainly *wanted* to like Momo, short for Mohammed, man-child narrator of Emile Ajar's novel by the same name. *Momo* arrives in a blaze of publishing glory from France, trailing the coveted Prix Goncourt, 17 translations, and Simone Signoret in the movie version. It seems to have generated interest here and abroad (I first heard enthusiastic mention of it in Israel this past summer) in massive disproportion to its inherent literary value. Who, it was wondered, was the pseudonymous Emil Ajar, described on the book jacket as "an elusive, highly gifted young writer?" (He turns out to be the not particularly gifted cousin of Romain Gary.) But, to my mind, there is an even more crucial mystery still left unsolved: *why* has this lump of schmaltz won such a classy literary prize? *Momo* is so strenuously, so determinedly heartwarming, that it seems in constant danger of blowing a fuse. As for the orphan boy Momo, he's a winsome tyke if ever there was one, a veritable Little Lord Fauntleroy of the gutter, and yet I must admit I managed to remain completely inured to his charms. In fact, with each new ingenuous pronouncement upon the human condition that the young *philosphe* made—"I believe that if you want to live, you should start very young because later on you're sure to depreciate and no one will make you any presents"—I found myself growling in belatedly-recognized sympathy with that childophobe, W. C. Fields.

*Momo* inverses the usual literary relationship: it is a novel by a "child" written for "adults." It begins, appropriately, with a swagger, the kind a child would adopt when trying to command grown-ups' attention: "The first thing I have to tell you is that we lived on the seventh-floor walk-up. . . and I can tell you right now that if ever a woman deserved an elevator it was Madame Rosa." Madame Rosa runs an "illegal nursery" for the children of prostitutes in the euphemistically-named Belleville section of Paris. Ten-year-old (we discover later that he is really fourteen) Momo is her favorite, as he is the favorite of everyone he encounters, young and old, rich and poor, man and woman. Although a money order for his upkeep is sent monthly, Momo doesn't know who his mother is; she doesn't come to visit him



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between jobs like the other children's mothers do. He has to content himself with the high-strung maternal care of Madame Rosa, an aging, overweight ex-prostitute (watching her at her beauty rituals Momo observes, "she used to be a woman and hasn't entirely gotten over it") and concentration-camp survivor: "I know she was paid to take care of me and the only thing we had in common was that we were both alone in the world with nothing and nobody. . . ." Madame Rosa lives in terror of the doorbell, imagining each time it rings that there are Nazis waiting on the other side. Momo understands such irrational fears while at the same time evincing a dispassionate historical curiosity: "She was the kind of person who lived on her memories. Naturally it's idiotic in this day and age, when all that stuff is dead and buried, but the Jews are very obstinate, especially when they've been exterminated; those are the ones who come back the most. She often talked to me about the Nazis and the SS, and I'm kind of sorry I was born too late to know the Nazis and the SS and everything they did, because then at least I'd have known why and now I don't."

Momo's best friend is his umbrella, Arthur, whom he dresses up and does an act with when he's hard up for pocket-money. Momo is beloved by the neighborhood underworld figures such as Monsieur N'Da Amedee, "the biggest black pimp and procurer in all Paris," but he has also captivated the solid citizenry. There is the erstwhile Dr. Katz, who allows Momo to sit in his waiting-room and soothes Madame Rosa about his future whenever it looks more than usually precarious. But the guiding light in Momo's shadowy young life—his necessary angel—is the ancient Monsieur Hamil ("He was very old when I first met him and since then he's just kept getting older"), an admirer of Victor Hugo and former carpet-dealer who now passes his days in a café, conversing with "little Momo" about the inexorable ways of man: "Monsieur Hamil, can somebody live without love?" Momo has to ask the question twice before he gets a straight answer; "'Yes,' he said, and bowed his head in shame." Another of Momo's cronies is Madame Lola, one of the better-drawn personalities in this novel of finger-painted characters. She is the transvestite with the heart of gold, bringing gifts of chocolate when times are good and helping to clean house and bathe Madame Rosa when times get bad.

You see, Madame Rosa's unspecified physical and mental ailments worsen; news of her deteriorating state spreads quickly, and soon her "rest home for illegal kids" loses out to the competition, Madame Sophie and the Comtesse's. Momo is left to fend for himself and his dying old whore. Dr. Katz wants to send her to the hospital, where Momo is afraid she will proceed to "win the world's vegetable record." Momo succeeds in outwitting him and all the intrusively friendly neighbors by claiming to have packed off Rosa to her family in Israel—a touch that should delight Hadassah members across the country (in case they fail to get the message, Dr. Katz spells it out: "It's the first time an Arab has ever sent a Jew to Israel."). The truth, however, is even *more* poignant: Momo brings Madame Rosa to her "Jewish hideaway," which is actually a dingy, candle-lit room in the cellar of their building. He fixes her up in her "artistic kimono" and red wig, lovingly applies makeup, and sprays her with perfume to ward off the odor of decay. (Although Momo speaks of wanting to "grow up to be Victor Hugo," he shows every sign of becoming a talented coiffeur.) Then they recite the Hebrew prayer "Sh'ma Yisroel" together and Momo settles down to watch the bloom that was Rosa fade away.

Ajar can't seem to decide whether he wants Momo to talk like an illiterate or a college professor. His confusion is mirrored in the translation, which veers wildly between the vernacular—"far out"—and the literary—"flummoxed"—and occasionally careens into undisguised garble: "For somebody so alone it was amazing how much of her there was, and there in that can I think she must have felt more alone than ever." When Momo refers to his tattered clothes he points out that he has to "snatch garmentry," which is the most unusual and unchild-like description of shoplifting I've ever come across. Since Ralph Manheim is an able translator of long practice it is to be assumed that the crazy-quilt effect is intentional. Still one wonders: is this, perhaps, less strained in the original? Does all this smart-assed precocity sound more natural-voiced, or could it be that the French simply have a high tolerance for deadly coyness?

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*Momo* tugs unabashedly at one's heart—or is it ham?—strings. I chuckled faintly once or twice and at no moment felt the urge to dab at what were after all perfectly dry eyes. In conception *Momo* is something of a throwback—much like the hugely successful musical *Annie*—to the raffish-spirited movies of the '40s, where the baby left on the door-step turns out to be a long-lost darling. It is, to be quite judicious, nothing worse than the equivalent of peasant's fare—hearty with plot, thick with good intentions, and heavily seasoned with slices of "reality." *Mehdornisht zorgen* ("We can't complain"), as Momo himself says at one point; if none of the ingredients are of the first quality, at least the treacly sentiment behind the professed cynicism of the writing sticks to one's ribs...But there's the wily rascal prancing one step ahead of the disbelieving reviewer: "Hey, I said to myself, don't lay it on too thick." Exactly.

**Daphne Merkin**

*Daphne Merkin* is a New York writer whose reviews have appeared in *Commentary*.


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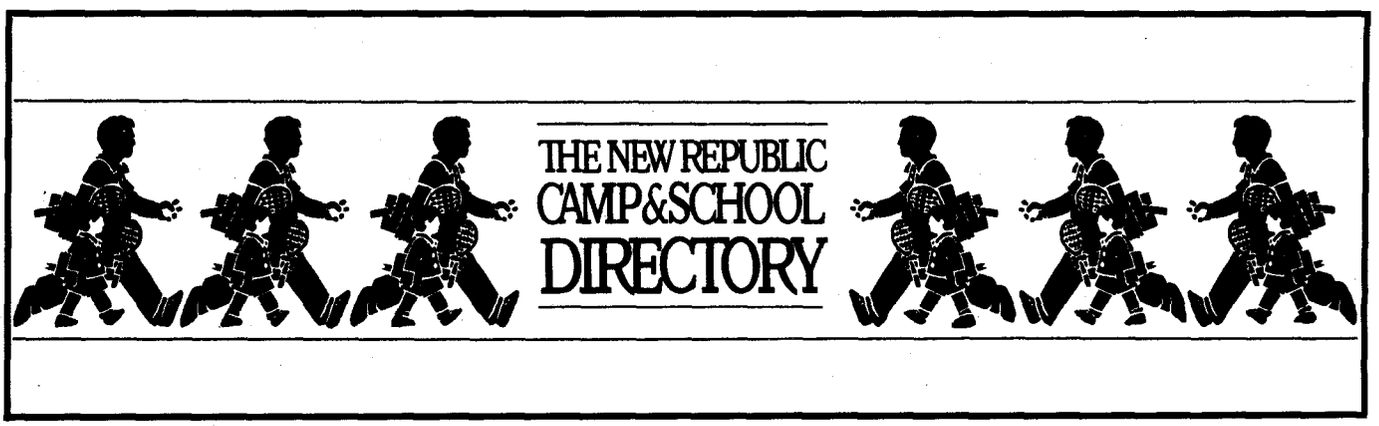


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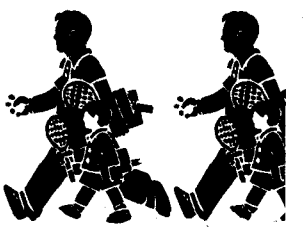

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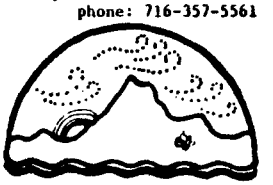

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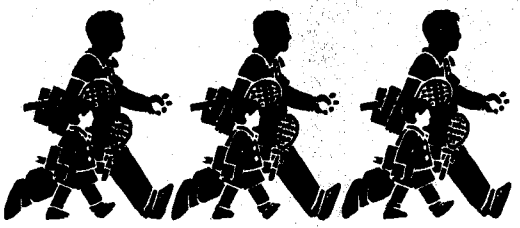

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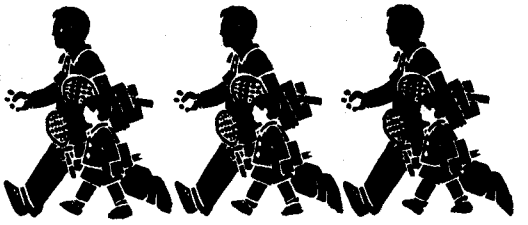

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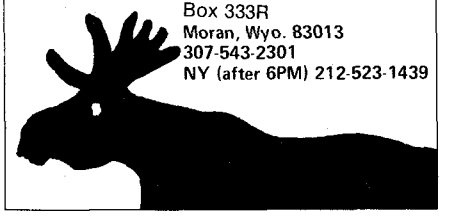

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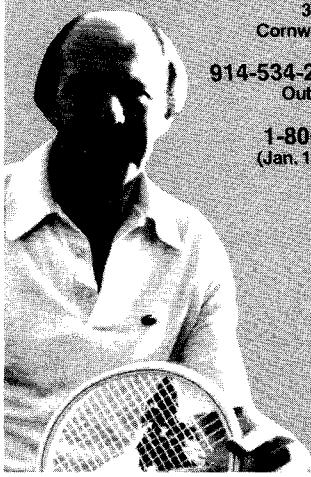

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# Washington Diarist

*Liaisons*

**Midge Costanza** is President Carter's assistant for something called "public liaison," which seems to mean pluralism run riot. Individual members of the public cannot liaison with her, but if you organize yourself into anything that looks like a pressure group, she will invite you into the White House for a chat, words of sympathy and perhaps a photo for the local paper. Recently, according to the *Post*, she welcomed a group of illegal aliens (in Washington for a conference, naturally) and cooed reassuringly about their problems. They complained of police brutality and miserable working conditions, which is no doubt often true. Midge said she would visit the citrus groves and forward their reports of brutality to the Attorney General. She did not say she would forward the names and whereabouts of her visitors to the Attorney General. One of them told reporters he has been deported four times. Five others had to miss their meeting with Midge when they were picked up by the Immigration Service on their way to Washington. President Carter has proposed an amnesty for all illegal aliens who have been here since 1970, and a limited amnesty for those who have been here since January 1, 1977. The White House visitors find this inadequate. The *Post* reported straightfacedly, "Costanza was told that foreign nationals would prefer unionization of workers rather than the Carter proposals." The Labor Department, by the way, does not like the term "illegal aliens." It prefers that we get used to the expression "undocumented workers."

**Speaking of newspeak,** has everyone been alerted to the change in the terms of the abortion debate? Those of us who believe a woman should be allowed to terminate her pregnancy are no longer "pro-abortion." Now we are "pro-choice." So much more genteel, don't you think? Who can be against "choice"? I suppose it's no more than a response in kind to the anti-abortion campaign's appropriation of the phrase "right-to-life," except that you like to think that the side of virtue ("pro-virtue"?) would not need such tricks. "Life" versus "Choice"—sounds like a breakfast cereal war, not a moral dilemma. Thank heavens the good guys snapped up that term before, say, the capital punishment types latched onto it. After all, shouldn't a state have the "choice" of whether to execute criminals or not?

**Last week's report** of the President's Commission on Military Compensation coincided with another little report in the *Times* on 32 members of Congress who collect military pensions from the government along with their salaries. Military pensions cost one billion dollars in 1964, $10 billion this year and eventually will cost more than $30 billion a year unless something is done about them. Servicemen may retire after 20 years—as young as 37—and get half or more of their top salary, indexed for inflation, for the rest of their lives. A colonel retiring after 30 years now gets $24,000 a year. Once "retired," these not-so-old soldiers get preferential treatment from the Civil Service in applying for other federal jobs, often remarkably similar to the ones for which they are collecting pensions. The Compensation Commission wants to make military pensions extremely generous, rather than wildly extravagant. But the presence of 32 such "double dippers" in Congress, together with the strength of the veterans' lobby, make this another Carter reform that is likely to end up on the shelf. Some of the congressional pensioners are embarrassed by their good fortune. Senator Barry Goldwater gives his $864-a-month pension to charity. Representative John Rhodes of Arizona, the House Minority Leader, sends his $545 a month back to the Treasury, earmarked for reducing the national debt. This is a charming Republican gesture, but I notice that Mr. Rhodes's concern for the national debt did not prevent him from speaking and voting last week in favor of the ludicrous "emergency" farm bill, which would have cost the Treasury more than five billion dollars a year. I will be keeping one eye on the national debt and one eye on Mr. Rhodes when Congress votes on military pension reform.

**This has been** a good month for antitrust buffs. First a company named Berkey Photo won $112.8 million in treble damages from Eastman Kodak. A jury of non-lawyers and non-economists, after listening to weeks of testimony from witnesses without being permitted to take notes (because that is how our system works), concluded that this figure is exactly three times the amount Berkey was unfairly injured by certain Kodak marketing practices. Kodak will appeal, of course. But meanwhile it has fired its lawyers, including John Doar, who was chief counsel for the House Judiciary Committee's Nixon impeachment hearings. Another member of Doar's lawfirm is accused of hurting Kodak's case by failing to destroy a certain document. Destruction of evidence is one of the main services a lawyer can perform for a client, and it is standard practice before "discovery" proceedings begin in a big antitrust case to clear the files of any troublesome material. In this case the document was especially embarrassing, since it was a letter to the lawfirm from Merton J. Peck—a Yale economics professor and former presidential advisor who had been hired by Kodak for many thousands of dollars to testify as an "expert witness" that Kodak had not behaved improperly, and who did so testify. Unfortunately, Professor Peck's letter expressed a somewhat different point of view from Professor Peck's testimony, as Berkey's lawyers gleefully pointed out. Now everybody is running for cover, which means hiring more lawyers. Kodak hired Simon Rifkind, a former judge in the very court hearing the case, to ask (unsuccessfully) for a delay, and hired another Wall Street lawfirm to represent it on appeal. Mr. Doar's lawfirm has hired a lawfirm, and Mr. Doar's partner has hired a lawfirm of his own.

**On the same day** Kodak fired Mr. Doar, "discovery" proceedings began in the long-awaited government antitrust suit against AT&T. The suit was filed in 1974. The government hopes to start the trial by 1980, but AT&T has different ideas. "Discovery" is the exchange of documents between the parties. Even though the issue is AT&T's behavior, and not the government's, the law believes it is only fair to let both sides poke around in the other's files. On the first day, as a matter of fact, the Justice Department gave AT&T 96 boxes containing 150,000 pages of documents, while AT&T gave the Justice Department only nine boxes containing barely 21,000 pages. The chief government lawyer "exploded with anger" at such niggardliness, according to the *Times*. AT&T says it will not be prepared to defend itself in court until it has obtained discovery from 40 government agencies and 2000 non-government parties. It also says it has some new objections to the suit, which it intends to raise "sequentially." There will be no rush to judgment here.

**M.E.K.**



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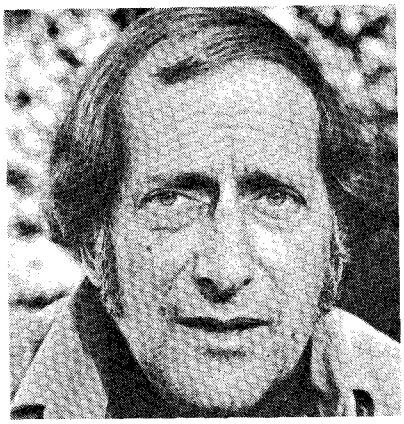

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